

0471.2004.0361

1 FILE NO. 471 PROPOSAL NO. R2003-96

2 Sponsored by: Councilmember Kevin Wimsett

3 Requested by: County Executive/Community Services

4

5

6 RESOLUTION NO. R2003-96

7

8 A RESOLUTION OF THE PIERCE COUNTY COUNCIL TO AUTHORIZE THE PIERCE
9 COUNTY EXECUTIVE TO EXECUTE AN INTERLOCAL AGREEMENT
10 BETWEEN PIERCE COUNTY AND ITS CITIES AND TOWNS TO
11 IMPLEMENT STATE OF WASHINGTON SUBSTITUTE HOUSE BILL
12 2060, WHICH AUTHORIZES A \$10.00 SURCHARGE ON CERTAIN
13 DOCUMENTS RECORDED WITH COUNTY AUDITORS FOR THE
14 PURPOSE OF PROVIDING FUNDS FOR AFFORDABLE LOW-INCOME
15 HOUSING.

16

17 WHEREAS, The Washington State Legislature passed Substitute
18 House Bill 2060 ("SHB 2060") during the 2002 Legislative session,
19 authorizing a \$10.00 surcharge on certain documents recorded with
20 County Auditors for the purpose of providing funds for affordable
21 low-income housing; and

22

23 WHEREAS, Pursuant to SHB 2060, the County and its Cities and
24 Towns have developed an Interlocal Agreement to implement the
25 provisions of the law; NOW, THEREFORE,

26

27

1 BE IT RESOLVED by the Council of Pierce County:
2

3 Section 1. That the Pierce County Executive is hereby
4 authorized to execute an Interlocal Agreement to implement SHB 2060
5 with Pierce County's Cities and Towns as shown in Exhibit "A"
6 attached hereto and incorporated herein by reference.
7

8 ADOPTED this 2nd day of September, 2003.
9

10 ATTEST:

PIERCE COUNTY COUNCIL
PIERCE COUNTY, Washington

11 Denise D. Johnson
12 Denise D. Johnson
13 Clerk of the Council

Harold Moss
14 Harold Moss
15 Council Chair

16 Approved As To Form Only:

17 Roger M. M...
18 Deputy Prosecuting Attorney
19
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3 **INTERLOCAL AGREEMENT BETWEEN PIERCE COUNTY AND THE «CityTown_of»**
4 **REGARDING ADMINISTERING FUNDS GENERATED AS A RESULT OF STATE OF**
5 **WASHINGTON SHB 2060**

6 **THIS AGREEMENT** is entered into this day by and between **PIERCE COUNTY**, a
7 political subdivision of the State of Washington (herein referred to as "COUNTY") and the
8 «CityTown_of», all municipal corporations of the State of Washington (herein referred to as
9 "«CT»").

10 WHEREAS, the Washington State Legislature passed Substitute House Bill 2060 (SHB
11 2060) during the 57th Legislative session which became effective on June 13, 2002; and

12 WHEREAS, SHB 2060 authorizes a ten dollar surcharge on certain documents recorded
13 with the auditors office for the purpose of providing funds for affordable low-income
14 housing; and

15 WHEREAS, the COUNTY and the «CT» agree additional resources are needed to assist
16 in the development and preservation of affordable low-income housing; and

17 WHEREAS, the COUNTY and the «CT» are required to develop an Interlocal Agreement
18 that is consistent with countywide and local housing needs and policies; and

19 WHEREAS, the parties are authorized to enter into such agreements by virtue of Chapter
20 39.34 RCW;

21 NOW, THEREFORE, in consideration of the terms and conditions contained herein, it is
22 mutually agreed by and between the COUNTY and the «CT» as follows:

23 **SECTION 1. PURPOSE.** The purpose of this agreement is to provide for the
24 implementation of Substitute House Bill 2060 (SHB 2060) and to memorialize the
25 agreement between the parties relating to administration of the funds generated by the
26 bill.

27 **SECTION 2. COUNTY OBLIGATIONS.** The COUNTY shall:

1. Collect the required revenue authorized by SHB 2060 and hold it in a single fund; and
2. Participate in activities in accordance with the attached 2060 Guiding Principles, which are attached to and incorporated by reference to this Agreement as Exhibit 1; and
3. Disburse funds to designated eligible recipients in accordance with the attached 2060 Guiding Principles; and
4. Provide an annual written summary of funds collected and expended under the terms of this agreement to all parties.

1 **SECTION 3. «CT» OBLIGATIONS.** The «CT» shall issue a letter of consistency with
2 their current Comprehensive Land Use Plan for projects that are located within their
3 jurisdictional boundaries.

4 **SECTION 4. TERM OF THE AGREEMENT.** This Agreement shall commence on
5 March 3, 2003, or the date of execution of this Agreement by «lower_case_CTOF», which ever
6 comes first, and terminate on the date that all funds have been disbursed after the Washington
7 State Legislature withdraws its funding for the program established by SHB 2060. This
8 Agreement shall automatically renew for one (1) year increments beginning January 1 and ending
9 midnight, December 31, unless terminated by giving ninety (90) days written notice to the other
10 party.

11 **SECTION 5. INDEMNIFICATION AND DEFENSE.** The COUNTY shall defend,
12 indemnify, and save harmless the «CT», its officers, employees, and agents from any and all
13 costs, claims, judgments, or awards of damages, resulting from the acts or omissions of the
14 COUNTY, its officers, employees, or agents associated with this Agreement. In executing this
15 Agreement, the COUNTY does not assume liability or responsibility for or in any way release the
16 «CT» from any liability or responsibility which arises in whole or in part from the existence or
17 effect of Substitute Housing Bill 2060, ordinances, rules, regulations, resolutions, customs,
18 policies, or practices. If any cause, claim, suit, action or administrative proceeding is
19 commenced in which the enforceability and/or validity of any such law, ordinance, rule,
20 regulation, resolution, custom, policy or practice is at issue, the «CT» shall defend the same at its
21 sole expense, and if judgment is entered or damages are awarded against the «CT», the
22 COUNTY, or both, the «CT» shall satisfy the same, including all chargeable costs and attorney's
23 service charges.

24 The «CT» shall defend, indemnify and save harmless the COUNTY, its officers,
25 employees and agents from any and all costs, claims, judgments, or awards of damages, resulting
26 from the acts or omissions of the «CT», its officers, employees or agents associated with this
27 Agreement. In executing this Agreement, the «CT» do not assume liability or responsibility for
or in any way release the COUNTY from any liability or responsibility which arises in whole or
in part from the existence or effect of COUNTY ordinances, rules, regulations, resolutions,
customs, policies, or practices. If any cause, claim, suit, action, or administrative proceeding is
commenced in which the enforceability and/or validity of any such COUNTY ordinance, rule,
regulation, resolution, custom, policy, or practice is at issue, the COUNTY shall defend the same
at its sole expense, and if judgment is entered or damages are awarded against the COUNTY, the
«CT», or both, the COUNTY shall satisfy the same, including all chargeable costs and attorney's
service charges.

28 **SECTION 6. NO THIRD-PARTY BENEFICIARY.** The COUNTY does not intend
29 by this Agreement to assume any contractual obligations to anyone other than the «CT», and the
30 «CT» does not intend by this Agreement to assume any contractual obligations to anyone other
31 than the COUNTY. The COUNTY and the «CT» do not intend that there be any third-party
32 beneficiary to this Agreement.

1 **SECTION 7. NON-DISCRIMINATION.** The COUNTY and the «CT» certify that they
2 are Equal Opportunity Employers.

3 **SECTION 8. ASSIGNMENT.** Neither the COUNTY nor the «CT» shall have the right
4 to transfer or assign, in whole or in part, any or all of its obligations and rights hereunder without
5 the prior written consent of the other Party.

6 **SECTION 9. NOTICE.** Any formal notice or communication to be given by the
7 COUNTY to the «CT» under this Agreement shall be deemed properly given, if delivered, or if
8 mailed postage prepaid and addressed to:

9 «lower_case_CTOF»
10 «Address»
11 «Mailing_Address»
12 «City», «State» «Zip_Code»

13 Any formal notice or communication to be given by the «CT» to the COUNTY under this
14 Agreement shall be deemed properly given, if delivered, or if mailed postage prepaid and
15 addressed to:

16 Pierce County Department of Community Services
17 8815 South Tacoma Way, Room 202
18 Lakewood, WA 98499-4588

19 Attention: Director

20 The name and address to which notices and communications shall be directed may be
21 changed at any time, and from time to time, by either the «CT» or the COUNTY giving notice
22 thereof to the other as herein provided.

23 **SECTION 10. COUNTY AS INDEPENDENT CONTRACTOR.** COUNTY is, and
24 shall at all times be deemed to be, an independent contractor. Nothing herein contained shall be
25 construed as creating the relationship of employer and employee, or principal and agent, between
26 the «CT» and COUNTY or any of the COUNTY's agents or employees. The COUNTY shall
27 retain all authority for rendition of services, standards of performance, control of personnel, and
28 other matters incident to the performance of services by COUNTY pursuant to this Agreement.

29 Nothing in this Agreement shall make any employee of the «CT» a COUNTY employee
30 or any employee of the COUNTY a «CT» employee for any purpose, including, but not limited
31 to, for withholding of taxes, payment of benefits, worker's compensation pursuant to Title 51
32 RCW, or any other rights or privileges accorded COUNTY or «CT» employees by virtue of their
33 employment.

34 **SECTION 11. WAIVER.** No waiver by a party of any term or condition of this
35 Agreement shall be deemed or construed to constitute a waiver of any other term or condition or
36 of any subsequent breach, whether of the same or a different provision of this Agreement.

37 Exhibit "A"

1 **SECTION 12. ENTIRE AGREEMENT.** This Agreement contains all of the
2 agreements of the Parties with respect to any matter covered or mentioned in this Agreement and
3 no prior or other agreements shall be effective for any purpose.

4 **SECTION 13. AMENDMENT.** Provisions within this Agreement may be amended
5 with the mutual consent of the parties hereto. No additions to, or alteration of, the terms of this
6 Agreement shall be valid unless made in writing, formally approved, and executed by duly
7 authorized agents of both parties.

8 **SECTION 14. NO REAL PROPERTY ACQUISITION OR JOINT FINANCING.**
9 This Interlocal Agreement does not provide for the acquisition, holding or disposal of real
10 property. Nor does this Agreement contemplate the financing of any joint or cooperative
11 undertaking. There shall be no budget maintained for any joint or cooperative undertaking
12 pursuant to this Interlocal Agreement.

13 **SECTION 15. FILING.** Copies of this Interlocal Agreement, together with the
14 resolution of the Pierce County Council and the «CT» Council's approving and ratifying this
15 Agreement, shall be filed with the «CT» Clerk, the Pierce County Auditor, and the Secretary of
16 State of Washington after execution of the Agreement by both parties.

17 **SECTION 16. SEVERABILITY.** If any of the provisions contained in this Agreement
18 are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and
19 effect.

20 IN WITNESS WHERE OF, the parties have caused this Agreement to be executed on this
21 _____ day of _____, 20__.

22 _____

23 _____

24
25 Approved as to Form:

26
27 _____

1 **PIERCE COUNTY**

2
3 _____
4 DEPARTMENT DIRECTOR Date

5
6 _____
7 DEP. PROSECUTING ATTY Date
8 (as to form only)

9 _____
10 BUDGET AND FINANCE Date

11
12 _____
13 COUNTY EXECUTIVE Date
14 (if over \$250,000)

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1 **EXHIBIT 1: Attachment to SHB 2060-Interlocal Agreement.**

2 **PIERCE COUNTY 2060 COMMITTEE**
3 **Guiding Principles for Interlocal Agreement**

4 **Introduction**

5 The provisions of Substitute House Bill 2060 became law in Washington State on June 13, 2002.
6 The law created a document recording fee on certain documents to be utilized for low-income
7 housing. Administration of the fund is shared between local governments and the State. The
8 local portion of 2060 funds is to be administered pursuant to an Interlocal Agreement between
9 the County and the Cities and Towns within the County.

10 A 2060 Planning/Implementation group was invited to come together to produce guidelines for
11 the use of the Pierce County 2060 funds. The Pierce County 2060 group was made up of
12 representatives of Cities and the County.

13 As constructed by the Planning/Implementation Committee this plan provides:

- 14 ❖ Flexible funding to address all eligible activities within the law; and
- 15 ❖ Funding stability for jurisdictions and opportunities for both urban and rural communities;
16 and
- 17 ❖ Operation and maintenance funding for our community's emergency shelter system; and
- 18 ❖ The opportunity to plan strategic investments in housing through a regional approach.

19 It is the intent of the Pierce County 2060 Planning/Implementation Committee to provide the
20 following Guiding Principles to the designated Steering Committee for the implementation of
21 SHB 2060. It is recognized that the Steering Committee shall be charged with the responsibility
22 of developing policies and procedures that meet the intent of these guiding principles.

23 **A. Steering Committee**

24 A 2060 Steering committee shall be established and meet semi-annually to distribute funding.
25 The Steering Committee shall be comprised of one (1) member from each of the three HUD-
26 CDBG Prime Sponsor federal jurisdictions in Pierce County. They are; the City of Tacoma, the
27 City of Lakewood and Pierce County. There will be four (4) at-large members appointed by the
Pierce County Association of Cities and Towns. This Committee shall always be composed of
an odd number of representatives in order to facilitate arriving at majority votes on projects.

B. Review Committee

A 2060 Review Committee shall be established to provide expert Project review & analysis for
all applications submitted for consideration. The Review Committee shall be comprised of One

1 (1) staff representative from each of the following: City of Tacoma, the City of Lakewood and
2 Pierce County.

3 **C. Fund Availability**

- 4 ❖ On a semi-annual basis PCCS shall on behalf of Pierce County publish a Notice Of Funds
5 Availability (NOFA) through its established methods. This notice will set forth the amount of
6 funds available by category; the duration of funds to be awarded or distributed; the deadline
7 for submission of funding applications; and any other pertinent information related to the
8 process and or decisions.
- 9 ❖ Applications will be distributed to all parties requesting them and as appropriate Pierce
10 County will make copies of completed applications and/or distribute the accepted
11 applications to the Review and Steering Committee's for consideration.
- 12 ❖ The application format for 2060 funds shall be the same as is used by the State of
13 Washington, Housing Trust Fund or subsequently modified version(s) containing the same
14 detailed information.

15 **D. Eligible Recipients**

- 16 ❖ Eligible recipients of the funding from 2060 shall be Certified Non-Profit Agencies/Providers
17 of Affordable Housing, Cities, Towns, the County, and for-profit developers.

18 **E. Fund Distribution**

- 19 ❖ Operating and maintenance funds for local shelters:

20 Sixteen percent (16%) of the 2060 funds available in any given year shall be designated
21 for the operation and maintenance of local shelters. In view of Associated Ministries
22 historic role in serving as the conduit for funding targeted to local shelters it is
23 recommended that Associated Ministries serve in that same capacity for this fund source.
24 Therefore these funds would be transferred to Associated Ministries, the local provider of
25 the State Emergency Shelter Assistance Program to provide operating and maintenance
26 funds for local shelters.

- 27 ❖ Notice Of Funding Availability:

The remaining 84% of the funds shall be included in the spring and fall NOFA process
addressing the categories of need enumerated herein:

1. Acquisition, rehabilitation and/or New Construction of housing projects or units
within housing projects that serve clients who have incomes at or below 50% of
the Median income, based on HUD income guidelines for the Pierce County-
Metropolitan Statistical Area (MSA).

2. Operating and maintenance costs for housing that is in compliance with SHB 2060. [Applicants shall be strongly encouraged to apply to the State Department of CTED for these dedicated funds.]
3. Rental Assistance vouchers for housing projects or units within housing projects that are at or below 50% of median based on HUD income for the Pierce County MSA and administered by a local housing authority or other local organization that has an existing rental assistance voucher program consistent with HUD Section 8.

F. Availability of Applications:

Phase	Spring	Fall
Applications Available:	March	October
Applications Due:	April	November
Review Committee Meetings:	April	November
Steering Committee Meetings:	May	December
Decisions announced by:	May	December
Funds Available**:	May	December
**(After Contracts/Agreements signed).		

G. Reporting Requirements:

Recipients of the 2060 funding shall provide quarterly and annual reports detailing their use of funds on a format acceptable to the Pierce County Department of Community Services.

Pierce County shall provide a written report detailing the uses to which the funds were put and disseminate the same to all participating jurisdictions and participant/applicants on an annual basis.

H. Terms and Conditions of Funding:

Funds for emergency shelter operations shall be provided through Associated Ministries in the form of a grant with no reversion of asset clauses. Further, Associated Ministries warrants that none of funds covered by this agreement will be expended for administration.

Funds that are provided for operation and maintenance shall be distributed in the form of a grant.

Funding provided to other agencies for acquisition, rehabilitation or new construction (capital development) shall be distributed in the form of a Loan or Grant at the discretion of the Steering committee. The reversion of assets clause for proposals funded in this category shall reflect an amortization over a period of 25-50 years or as determined by the Steering Committee based on project and need.

1 **I. 2060 Project Review:**

2 The 2060 Implementation Plan will be reviewed after the first full year's operation. The Steering
3 Committee, Review Committee, with input from non-profits and other interested parties, shall
4 review program operation and implement any appropriate changes.

5 **J. Measurement System for Allocating Revenue:**

6 The funding available in each round shall be determined by the amount collected in the fund on
7 the month ending prior to application availability less any prior funding commitments.

8 **K. Default by 2060 Fund Recipient:**

9 When it is discovered that a recipient of funding from 2060 has misappropriated or misused
10 funds there shall be a penalty imposed. The restitution imposed shall be designed to insure that
11 the intended public benefit is preserved; that resources that were targeted to assist are recovered;
12 and that the cost to the offending party is sufficient to deter similar acts. The specific amounts
13 will be set on a case by case basis.

14 **L. Grievance Process:**

15 Applicants who feel they have been treated unfairly in the process or have not had their
16 applications considered appropriately, shall have the opportunity to present both written and oral
17 testimony to the Steering Committee. The Steering Committee shall establish a process for
18 hearing such grievances. Decisions of the Steering Committee shall be final.

19 **M. Geographic Equity:**

20 The Steering Committee shall be responsible for making certain that funds are distributed in a
21 manner that provides long-term geographic equity. The overall intent is to insure overtime that
22 all areas of Pierce County receive appropriate levels of funding through this initiative. The
23 Equity formula shall be based on a 5-year cycle (i.e.: each sub-region shall receive its fair share
24 of funding every five years.)

25 For the purposes of the 2060 fund, Pierce County shall be divided into two sub-regions:
26 Tacoma/Lakewood and the balance of Pierce County.

27 Using the US Census, HUD extracts, which provide demographic information on residents by
income, the 84% of the 2060 fund available through the NOFA shall be divided. Taking the
percentage of Pierce County residents who are at or below the 50% of median income standard
and applying it, such that each region receives a portion of the available funding consistent with
their percent of the population at or below the stated standard.

When available the 2000 HUD census extract will be used for determining the equity formula.
Until that time, the 1990 HUD census information shall be used.

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N. Subsidy Per Unit:

The amount of 2060 funding per housing unit shall be set by the Steering Committee at a rate consistent with rates employed by other similar fund sources within the surrounding geographic area. A unit shall be defined as a single-family home or a single apartment of any size in a multi-family complex. For example, a single-family duplex would be considered 2 units.

O. Project Monitoring:

Pierce County shall monitor all projects for compliance with the funding terms and conditions in the contract(s). Associated Ministries shall be required to provide quarterly and annual reports on the distribution of the 2060 funds dedicated to shelter operations and maintenance.



930 Tacoma Avenue South, Room 1046
Tacoma, Washington 98402-2176
(253) 798-7777
FAX (253) 798-7509
1-800-992-2456

Harold Moss, Chair
Kevin Wimsett, Vice Chair
Terry Lee, Member

August 12, 2003

**RULES AND OPERATIONS COMMITTEE
PUBLIC MEETING NOTICE**

PROPOSAL NO. R2003-96, A RESOLUTION OF THE PIERCE COUNTY COUNCIL TO AUTHORIZE THE PIERCE COUNTY EXECUTIVE TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN PIERCE COUNTY AND ITS CITIES AND TOWNS TO IMPLEMENT STATE OF WASHINGTON SUBSTITUTE HOUSE BILL 2060, WHICH AUTHORIZES A \$10.00 SURCHARGE ON CERTAIN DOCUMENTS RECORDED WITH COUNTY AUDITORS FOR THE PURPOSE OF PROVIDING FUNDS FOR AFFORDABLE LOW-INCOME HOUSING.

PROPOSAL NO. 2003-76, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL APPROVING THE ACQUISITION OF THE LAND AND FACILITY LOCATED AT 2501 SOUTH 35TH STREET, TACOMA, WASHINGTON; AUTHORIZING THE PROSECUTING ATTORNEY TO COMMENCE CONDEMNATION, IF NECESSARY; AND APPROPRIATING \$3,300,000 TO FUND THIS PURCHASE BY AMENDING ORDINANCE NO. 2002-112S, AS AMENDED, INCREASING THE 2003 BUDGET FOR MISCELLANEOUS CURRENT EXPENSE, THE ADMINISTRATION BUILDING FUND, AND THE CORPORATE EXPRESS BUILDING FUND.

MEETING DATE: Monday, August 18, 2003

TIME: 10:00 A.M.

PLACE: County Council Chambers, Room 1045
County-City Building
930 Tacoma Avenue South

CONTACT: Cathy Sala, 798-6695

You are encouraged to attend and present any comments you may have regarding these Proposals either verbally or in writing at the meeting. Also, if you would like to send your comments in writing, please send them to the **Pierce County Council, Rules & Operations Committee 930 Tacoma Avenue South, Room 1046, Tacoma, Washington 98402-2176.**

A public hearing regarding **Proposal No. 2003-76** will be heard before the full Council on Tuesday, September 2, 2003, at 3:00 p.m., in the Council Chambers. **Proposal No. R2003-96** will be heard before the full Council on a date to be advertised at which time the Council may take final action.



PIERCE COUNTY COUNCIL
REPORT OF STANDING COMMITTEE

Date: August 18, 2003

The Rules and Operations Committee of the Pierce County Council considered:

PROPOSAL.NO. R2003-96, A RESOLUTION OF THE PIERCE COUNTY COUNCIL TO AUTHORIZE THE PIERCE COUNTY EXECUTIVE TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN PIERCE COUNTY AND ITS CITIES AND TOWNS TO IMPLEMENT STATE OF WASHINGTON SUBSTITUTE HOUSE BILL 2060, WHICH AUTHORIZES A \$10.00 SURCHARGE ON CERTAIN DOCUMENTS RECORDED WITH COUNTY AUDITORS FOR THE PURPOSE OF PROVIDING FUNDS FOR AFFORDABLE LOW-INCOME HOUSING.

THE VOTING WAS AS FOLLOWS:

DO PASS _____ DO NOT PASS
_____ DO PASS AS AMENDED _____ POSTPONE INDEFINITELY
_____ DO PASS AS SUBSTITUTED _____ CONTINUED
_____ FORWARD WITHOUT RECOMMENDATION _____ CONTINUE TO A DATE CERTAIN
_____ REFER TO _____

Harold Moss For Against _____
Harold Moss, Chair

Kevin Wimsett For _____ Against _____
Kevin Wimsett, Vice Chair

Terry Lee For Against _____
Terry Lee, Member

- Minority Report yes _____ (attached) no
- Interested Party list: none ___ /yes (attached) EMAIL/CSALA # 6
(IPL name) No.
- Notified of Final Hearing Date: yes ___ no
- Attachment(s) From Meeting: none ___ / yes (attached)
- Final Version Name(s): clean f:\wpfiles\prop\ N/A
- Committee Clerk: Cathy Kala
- Committee Research Analyst: Thomas J Weber

Pierce County

Office of the County Council

930 Tacoma Avenue South, Room 1046
Tacoma, Washington 98402-2176
(253) 798-7777
FAX (253) 798-7509
1-8 00-992-2456
www.co.pierce.wa.us/council

PIERCE COUNTY COUNCIL PUBLIC MEETING NOTICE

PROPOSAL NO. R2003-96, A RESOLUTION OF THE PIERCE COUNTY COUNCIL TO AUTHORIZE THE PIERCE COUNTY EXECUTIVE TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN PIERCE COUNTY AND ITS CITIES AND TOWNS TO IMPLEMENT STATE OF WASHINGTON SUBSTITUTE HOUSE BILL 2060, WHICH AUTHORIZES A \$10.00 SURCHARGE ON CERTAIN DOCUMENTS RECORDED WITH COUNTY AUDITORS FOR THE PURPOSE OF PROVIDING FUNDS FOR AFFORDABLE LOW-INCOME HOUSING.

MEETING DATE: Tuesday, September 2, 2003

TIME: 3 p.m.

PLACE: Pierce County Council Chambers
County-City Building
930 Tacoma Avenue South, Room 1045
Tacoma, WA 98402

CONTACT: Thomas Weber at (253) 798-6067 or the
Council Office at (253) 798-7777

This proposal is scheduled for final consideration at this meeting. The Council encourages public participation. Public testimony will be taken, and written comments are welcome as well.

Council meetings are audio recorded and cablecast.
Audio equipment is available for the Hearing Impaired. Please contact the Receptionist for assistance.

Dated: August 27, 2003

From: Denise Johnson
To: Gary Aden; John Ladenburg; Lyle Quasim; Tom Hilyard
Date: 8/27/03 4:15PM
Subject: Proposal No. R2003-96 (Implementation of SHB 2060)

The Proposal will be heard by the full Council on **Tuesday, September 2, 2003, at 3:00 p.m.** Please see attached.

Thanks-
Denise

From: Gary Aden
To: "Terri@mail.ci.edgewood.wa.us".SMTP.ATHENS; Denise Johnson
Date: 8/19/03 7:56AM
Subject: Re: SHB 2060

The Interlocal Agreement referenced in the Proposal R2003-96 is what you are seeking. It will be returned to you after final council action and the Executive's signature. If you have any questions I can be reached at 798-6912. Thanks.

Gary M. Aden
Administrative Program Manager II
Pierce County Housing Programs
(253) 798-6912
gaden@co.pierce.wa.us

>>> Denise Johnson 8/18/2003 5:46:54 PM >>>

PROPOSAL NO. R2003-96, A RESOLUTION OF THE PIERCE COUNTY COUNCIL TO AUTHORIZE THE PIERCE COUNTY EXECUTIVE TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN PIERCE COUNTY AND ITS CITIES AND TOWNS TO IMPLEMENT STATE OF WASHINGTON SUBSTITUTE HOUSE BILL 2060, WHICH AUTHORIZES A \$10.00 SURCHARGE ON CERTAIN DOCUMENTS RECORDED WITH COUNTY AUDITORS FOR THE PURPOSE OF PROVIDING FUNDS FOR AFFORDABLE LOW-INCOME HOUSING.

Terri, I'm not sure if this is what you're talking about or not. At its July 29, 2003, meeting, the Council referred the proposal to the Rules and Operations Committee, and today the Proposal was heard in Committee - no final Council hearing date has been scheduled as of yet.

Since Gary Aden, Pierce County Community Services (253.798.6912), is the contact person for the Proposal, perhaps he can assist you with ILA questions.

Thank and take care-
Niecey

>>> "Terri Berry" <Terri@mail.ci.edgewood.wa.us> 8/18/2003 2:29:27 PM >>>

On March 25, 2003, the Council adopted a resolution authorizing the City Manager to enter into an interlocal agreement with the County regarding administering of funds generated as a result of SHB 2060. We have not received the interlocal from the County to date. Who do I need to talk to regarding that ILA?

Terri Berry
City Clerk/Information Systems Manager
City of Edgewood
terri@ci.edgewood.wa.us
253/952-3299

Pierce County
Department of
Community Services
Tom Hilyard, Director

Affordable Housing Program



Overview

Substitute House Bill 2060 became law in Washington State on June 13, 2002. The law created a document recording fee on certain documents to be utilized for low-income housing. Administration of the fund is shared between local governments and the State. The local portion of 2060 funds is to be administered pursuant to an interlocal agreement between the County and the Cities and Towns within the County.

A 2060 Planning/Implementation group was invited to come together to produce guidelines for the use of the Pierce County 2060 funds. The Pierce County 2060 group was made up of representatives of Cities and the County.

As constructed by the Planning/Implementation Committee this plan provides:

- ❖ Flexible funding to address all eligible activities within the law: and
- ❖ Funding stability for jurisdictions and opportunities for both urban and rural communities: and
- ❖ Operation and maintenance funding for our community's emergency shelter system: and
- ❖ The opportunity to plan strategic investments through a regional approach.

The Steering Committee is charged with the responsibility of developing policies and procedures that meet the intent of these guiding principles.

SOURCE DOCUMENT

Administrative Structure:

A 2060 Steering committee shall be created and meet semi-annually to distribute funding to eligible applicants. The Steering Committee shall be comprised of one (1) member from each of the three HUD-CDBG Prime Sponsor federal jurisdictions in Pierce County (City of Tacoma, the City of Lakewood and Pierce County). There will be four (4) at-large members appointed by the Pierce County Association of Cities and Towns. This Committee shall always be composed of an odd number of representatives in order to facilitate arriving at majority votes on projects.

A 2060 Review Committee shall be established to provide expert Project review & analysis for all applications submitted for consideration. The Review Committee shall be comprised of One (1) staff representative from the City of Tacoma, the City of Lakewood and Pierce County.

Fund Availability

- ❖ On a semi-annual basis PCCS shall on behalf of Pierce County publish a Notice Of Funds Availability (NOFA). This notice will set forth the amount of funds available by category; the duration of funds to be awarded or distributed; the deadline for submission of funding applications; and any other pertinent information related to the process.

Eligible Recipients

- ❖ Eligible recipients of the funding from 2060 shall be Certified Non-Profit Agencies/Providers of Affordable Housing, Cities, Towns, the County, and for-profit developers.

Fund Distribution

- ❖ Operating and maintenance funds for local shelters:

Sixteen percent (16%) of the 2060 funds available in any given year shall be designated for the operation and maintenance of local shelters. In view of Associated Ministries historic role in serving as the conduit for funding targeted to local shelters it is recommended that Associated Ministries serve in that same capacity for this fund source. Therefore these funds would be transferred to Associated Ministries, the local provider of the State Emergency Shelter Assistance Program to provide operating and maintenance funds for local shelters.

- ❖ Notice Of Funding Availability:

The remaining 84% of the funds shall be included in the spring and fall NOFA process for the following activities:

1. Acquisition, rehabilitation and/or New Construction of housing projects or units within housing projects that serve clients who have incomes at or below 50% of the Median income, based on HUD income guidelines for the Pierce County- Metropolitan Statistical Area (MSA).
2. Operating and maintenance costs for housing that is in compliance with SHB 2060. [Applicants shall be strongly encouraged to apply to the State Department of CTED for these dedicated funds.]
3. Rental Assistance vouchers for housing projects or units within housing projects that are at or below 50% of median based on HUD income for the Pierce County MSA and administered by a local housing authority or other local organization that has an existing rental assistance voucher program consistent with HUD Section 8.

2060 Project Review:

The 2060 Implementation Plan will be reviewed after the first full year's operation. The Steering Committee, Review Committee, with input from non-profits and other interested parties, shall review program operation and implement any appropriate changes.

Geographic Equity:

The Steering Committee shall be responsible for making certain that funds are distributed in a manner that provides long-term geographic equity. The overall intent is to insure overtime that all areas of Pierce County receive appropriate levels of funding through this initiative. The Equity formula shall be based on a 5-year cycle (i.e.: each sub-region shall receive its fair share of funding every five years.)

For the purposes of the 2060 fund, Pierce County shall be divided into two regions: Tacoma/Lakewood and the balance of Pierce County.

Using the US Census, HUD extracts, which provide demographic information on residents by income, the 84% of the 2060 fund available through the NOFA shall be divided. Taking the percentage of Pierce County residents who are at or below the 50% of median income standard and applying it, such that each region receives a portion of the available funding consistent with their percent of the population at or below the stated standard.

When available the 2000 HUD census extract will be used for determining the equity formula. Until that time, the 1990 HUD census information shall be used.

Project Monitoring:

Pierce County shall monitor all projects for compliance with the funding terms and conditions in the contract(s).

Eligible 2060 activities:

Providing funding to build new single family housing units including duplexes and multifamily housing for those below 50% of median; and

Provide funding for operating and maintenance of shelters; and

Provide funding for operating and maintenance of low income housing built with trust fund dollars; and

Build Emergency or Youth shelters; and

Build group homes or special needs housing serving 50% of median clients; and

Rental vouchers through either the Pierce County or Tacoma Housing Authority

Provide funding to rehabilitate low income housing (repair/replace roofs, walls, electrical systems, doors, floors, cabinets, ceilings, bathrooms etc.) to be occupied by those at or below 50% of median income; and

Acquisition of housing to be occupied by those at or below 50% of median.

Acquisition of land for future affordable housing to be occupied by those at or below 50% of median; and

Payment of soft costs (not bricks/mortar) associated with housing development.



Contact Information:

If you have questions regarding this program, contact:

Tom Hilyard, Director
Pierce County Department of Community Services
(253) 798-7033 or email at: thilyard@co.pierce.wa.us

From: Cathy Sala
To: Dan Cagle; Gary Aden; John Ladenburg; Patrick Kenney; Steve Bailey; Tom Hilyard
Date: 8/13/03 3:57PM
Subject: Rules & Operations

Please see attached meeting notice for the Rules & Operations Committee meeting on Monday, August 18, 2003. Thanks.

**PIERCE COUNTY HOUSING PROGRAMS
INTRAOFFICE MEMORANDUM**

TO: COUNCIL
FROM: PATTI BUNNEY *Patti*
SUBJECT: RESOLUTION INFORMATION
DATE: JUNE 25, 2003

Please find enclosed the Data Sheet, Resolution, and Exhibit A for SHB 2060.

If you have any questions or there are problems, please contact me at 6935. I just realized that my computer "A" drive is not working (reason the last disk was blank) so if the information is missing from the enclosed disk, please let me know and I can email them to you.

Thank you.

Patti Bunney, Office Assistant II
Pierce County Housing Programs
8811 South Tacoma Way
Lakewood, WA 98499
(253) 798-6935

RECEIVED

JUN 26 2003

PIERCE COUNTY COUNCIL
By: _____



PROPOSED ORDINANCE OR RESOLUTION DATA SHEET

TO BE NUMBERED BY THE
CLERK OF THE COUNCIL

Proposal

NO. 2003-96

Direct questions to Gerri Rainwater, Clerk of the Council, at 591-7777.

1. DATE PREPARED 06/02/2003	2. EXECUTIVE SIGNATURE <i>[Signature]</i>	3. PRIME SPONSOR, (COUNCILMEMBER SIGNATURE) <i>Kevin Wimsitt</i>
4. DATE RECEIVED IN COUNCIL CLERK'S OFFICE <u>6/26/03</u>	5. REQUESTING DEPARTMENT Pierce County Community Services	
	6. DEPARTMENT HEAD'S SIGNATURE <i>Tom Hilgard</i>	PHONE
	7. DRAFTED BY (NAME & DEPARTMENT) PHONE Gary M. Aden -- Pierce County Community Services -- (253) 798-6912	COUNCIL STAFF CONTACT

8. ORDINANCE [] RESOLUTION [] 9. EFFECTIVE DATE DESIRED _____

10. COMPLETE TITLE OF ORDINANCE OR RESOLUTION: Interlocal Agreement between Pierce County and its Cities and Towns to implement SHB 2060

11. LIST ANY SPECIAL ADVERTISING OR POSTING REQUIREMENTS INVOLVED IN PROCESSING THIS ORDINANCE/RESOLUTION: N/A N/A []

12. CODE STATUS: 1) New Chapter/Section _____ 2) Amends _____ 3) Repeats _____

13. SUMMARY AND INTENT OF THIS LEGISLATION.
In accordance with the requirements of SHB 2060, Pierce County working in partnership with its Cities and Towns developed an Interlocal Agreement and guiding principles for the implementation of the law.

14. SOURCE DOCUMENTS: LIST ALL MATERIALS INCLUDED AS BACKUP INFORMATION: N/A []

A <u>Interlocal Agreement</u>	C _____
B _____	D _____

15. FISCAL IMPACT:

A. TOTAL COST OF LEGISLATION FOR CURRENT FISCAL YEAR:	COUNTY \$ <u>\$0.00</u>	FEDERAL \$ <u>\$0.00</u>	STATE \$ <u>\$0.00</u>
B. ESTIMATED COST OF LEGISLATION IN FUTURE YEARS:	COUNTY \$ <u>\$0.00</u>	FEDERAL \$ <u>\$0.00</u>	STATE \$ <u>\$0.00</u>
C. COSTS INVOLVED ARE FOR: <u>N/A</u>			
D. ESTIMATED INCREASE IN REVENUE AS RESULT OF LEGISLATION FOR CURRENT YEAR:			<u>\$0.00</u>
E. ESTIMATED INCREASE IN REVENUE AS RESULT OF LEGISLATION FOR FUTURE YEARS:			<u>\$0.00</u>
F. SOURCE(S) OF REVENUE: <u>N/A</u>			

THIS LEGISLATION HAS NO FISCAL IMPACT []

16. A COPY OF THIS ORDINANCE/RESOLUTION IN FINAL FORM SHOULD BE SENT TO THE FOLLOWING:
Department of Community Services (Tom Hilgard, Director)