

RESOLUTION NO. R-2482

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY OF KIRKLAND TO PARTICIPATE WITH KING COUNTY IN ITS PROGRAM TO MAKE AVAILABLE LOAN FUNDS FOR LOW AND MODERATE INCOME HOUSING REHABILITATION IN ACCORDANCE WITH THE PROVISIONS OF SECTION 312 OF THE FEDERAL HOUSING ACT OF 1964 DESIGNATING THE TARGET AREA FOR SUCH PROGRAM WITHIN THE CITY OF KIRKLAND, AND AUTHORIZING THE CITY MANAGER TO SIGN ON BEHALF OF THE CITY OF KIRKLAND AN INTERLOCAL GOVERNMENTAL AGREEMENT WITH KING COUNTY FOR PARTICIPATION IN SAID PROGRAM.

BE IT RESOLVED by the City Council of the City of Kirkland, as follows:

WHEREAS, the best interests and general welfare of the City of Kirkland and of King County would be served by providing federally funded assistance to home owner within the county and within the city so that they may have an opportunity to continue to live in their present dwellings, and

WHEREAS, it is also in the best interests and to the general welfare of King County and the City of Kirkland to cooperate in programs which will further the maintenance and improvement of living conditions of citizens of both the county and the city in order to provide safe and sanitary living conditions for those citizens, and

WHEREAS, such programs should be carried out in a manner as to be consistent with and complementary to the goals and objectives of the King County Housing Assistance Plan as annually adopted by the King County Council, and

WHEREAS, various federally funded programs, including the Community Development Block Grant Program, under the Federal Housing and Community Development Act of 1974 and the Section 312 program under the Federal Housing Act of 1964, provide a source of funds and an opportunity for the county and the city to cooperate in implementing such housing rehabilitation programs, and

WHEREAS, the County has been designated by the Secretary of Housing and Urban Development (HUD) as an agent of the federal government for the purpose of administering and implementing a Section 312 Housing Rehabilitation Loan Program within King County, and

WHEREAS, implementation by King County of its Section 312 Housing Rehabilitation Loan Program within the City of Kirkland is authorized under state law by the State Interlocal Cooperation Act (RCW Ch. 39.34) and by the state law on federal grants and programs, specifically RCW 35.21.730,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland, as follows:

Section 1: Participation by the City of Kirkland in the King County Section 312 Housing Rehabilitation Program is hereby approved in order to make said program available to all qualified applicants within the city limits of the City of Kirkland.

Section 2: The Interlocal Agreement for Housing Inspection Services under King County Section 312 Housing Rehabilitation Program, copy of which is attached to the original of this resolution, is hereby approved, and the City Manager is hereby authorized and directed to sign said Interlocal Cooperative Agreement on behalf of the City of Kirkland. The City Manager is further authorized and directed to sign on behalf of the City of Kirkland any and all applications, documents, reports and other agreements which may be necessary or required of the City of Kirkland by virtue of its participation in the King County Section 312 Housing Rehabilitation Program.

PASSED by majority vote of the Kirkland City Council in regular open meeting on the 5th day of December, 1977.

SIGNED in authentication thereof on the 5th day of December, 1977.



MAYOR

ATTEST:



Director of Administration & Finance  
(ex officio City Clerk)

INTERLOCAL AGREEMENT FOR HOUSING INSPECTION SERVICES  
UNDER SECTION 312 HOUSING REHABILITATION PROGRAM

This Agreement, entered into this 24th day of  
February, <sup>1978</sup>~~1977~~, pursuant to the State Interlocal Cooperation  
Act, RCW Ch. 39.34, between King County, State of Washington,  
herein referred to as the "County", and the City of Kirkland,  
King County, State of Washington, hereinafter referred to as  
the "City".

W I T N E S S E T H:

WHEREAS, the best interests and general welfare of  
the County and the City would be served by the providing of  
federally-funded assistance to homeowners of the County and  
City, so that they may have an opportunity to continue to live  
in their present dwellings; and

WHEREAS, it is also in the best interests and general  
welfare of the County and the City to cooperate in programs  
which will further the maintenance and improvement of living  
conditions of citizens of the County and City in order to  
provide safe and sanitary living conditions for those citizens;  
and

WHEREAS, such programs should be carried out in  
a manner as to be consistent with and complementary to the  
goals and objectives of the King County Housing Assistance  
Plan, as annually adopted by the King County Council; and

WHEREAS, various federally-funded programs, including  
the Community Development Block Grant Program under the Federal  
Housing and Community Development Act of 1974 and the Section  
312 program under the Federal Housing Act of 1964, provide a  
source of funds and an opportunity for the County and the City  
to cooperate in implementing such housing rehabilitation  
programs; and

WHEREAS, the County has been designated by the Secretary of Housing and Urban Development (HUD) as an agent of the federal government for the purpose of administering and implementing a section 312 housing rehabilitation loan program within King County; and

WHEREAS, it is the intention of the County and the City that the County's Section 312 Housing rehabilitation Program be made available to qualifying applicants within the corporate boundaries of the City; and

WHEREAS, implementation by the County of its Section 312 Housing Rehabilitation Loan Program within the City will necessitate certain inspections of residential properties, as called for by the HUD regulations, such inspections to be carried out by qualified building inspectors designated by the County; and

WHEREAS, the cooperative exercise of municipal functions described in this Agreement is authorized under state law by the State Interlocal Cooperation Act, RCW Ch. 39.34, and by the state law on federal grants and programs, specifically RCW 35.21.730; and

WHEREAS, this Agreement is entered into under authority of Section 103 of King County Ordinance No. 3269 and has been approved by the King County Council through Motion No. 3387.

NOW, THEREFORE, it is agreed that:

1. Purpose of Agreement.

The purpose of this Agreement is to provide for mutual cooperation in the implementation of the County's Section 312 Housing Rehabilitation Loan Program within the corporate limits of the City. Specifically, this Agreement authorizes building inspectors assigned to the Section 312

program by the County to make such inspections within the corporate limits of the City as are called for and required by the HUD regulations governing the Section 312 program.

2. Authorization of County Inspections.

The parties hereby agree that building inspectors designated by the County shall be authorized to perform such residential inspections as are required by the appropriate HUD regulations pursuant to implementation of Section 312 housing rehabilitation loans made to qualifying applicants residing within the City. The applicable local standard applied by the building inspectors in making such inspections shall be the official housing code of the City. The City hereby consents to the exercise by King County of such powers within the corporate limits of the City, and the County hereby agrees to provide the necessary inspection services.

3. Duration of Agreement.

The performance of both parties under this Agreement shall commence on the 24<sup>th</sup> day of February, 1978 and terminate on the 24<sup>th</sup> day of February, 1980. The duration of the Agreement may be extended upon mutual written agreement between the parties hereto and pursuant to the terms and conditions of Section 7 of this Agreement.

4. Method of Financing Inspections.

The County hereby agrees that the building inspectors carrying out functions described in paragraph 2 above shall be compensated from the County's Section 312 program.

5. Termination.

a. This Agreement is subject to termination upon the occurrence of any of the following conditions:

(1) 30 days prior written notification by one party of an intention to terminate the Agreement;

(2) Withdrawal by the federal government of block grant funds used by the County for administration of its Section 312 program;

(3) Termination of the County's status as an agent of the federal government for the purpose of administering and implementing the Section 312 program.

b. Otherwise, this Agreement shall terminate on the date specified herein and shall be subject to extension only by mutual agreement in accordance with Section 7 of this Agreement.

6. Administration.

The provisions of this Agreement shall be jointly administered by the Housing and Community Development Section, King County Planning Department on behalf of the County, and by \_\_\_\_\_ on behalf of the City.

7. Modifications.

Proposed modifications which are mutually agreed upon, including extensions of the duration of this Agreement, shall be incorporated by written amendment to this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first hereinabove written.

DATED this 24<sup>th</sup> day of February, 1978.

CITY OF Kendall

KING COUNTY

By: /s/ Arthur B. Locke

By /s/ John D. Spellman  
JOHN D. SPELLMAN  
King County Executive

Title: City Manager

Approved as to form:

CHRISTOPHER T. BAYLEY  
Prosecuting Attorney

/s/  
By Deputy Prosecuting Attorney