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ORDINANCE 118039

AN ORDINANCE relating to the Department of Construction and Land Use, authorizing the Mayor or his designee to sign a Memorandum of Understanding with the Seattle Housing Authority regarding permit fees for redevelopment of Holly Park.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. As requested by the Director of the Department of Construction and Land Use and recommended by the Mayor, the Mayor or his designee is hereby authorized for and on behalf of the City of Seattle to execute a Memorandum of Understanding regarding building and inspection fees with the Seattle Housing Authority. Said Memorandum of Understanding shall be substantially in the form attached hereto as Exhibit A.

Section 2. The Mayor or his designee shall submit semi-annual reports to the City Council detailing the amounts paid by the Seattle Housing Authority to the City for permit fees related to the redevelopment of Holly Park.

Section 3. Any acts made consistent with the authority and prior to the effective date of this ordinance are hereby ratified and confirmed.

Section 4. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

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Passed by the City Council the 11 day of March, 1996, and signed by me in  
open session in authentication of its passage this 11 day of March, 1996.

Jan Drago  
President \_\_\_\_\_ of the City Council

Approved by me this 14 day of March, 1996.

Norman Bice  
Mayor

Filed by me this 15 day of March, 1996.

Margaret Carter  
City Clerk

(Seal)

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ord. 118039

**MEMORANDUM OF UNDERSTANDING  
REGARDING FEES FOR DEPARTMENT OF  
CONSTRUCTION AND LAND USE SERVICES**

This Agreement is entered into this 19TH day of APRIL, 1996 between the Housing Authority of the City of Seattle ("SHA") and the City of Seattle ("City"). It concerns the assessment of the City's Department of Construction and Land Use (DCLU) services, which include building and inspection fees, also known as "permit fees," in connection with the redevelopment of SHA's Holly Park low-income housing community in Southeast Seattle.

WHEREAS, SHA and the City of Seattle previously entered into a Cooperation Agreement concerning the operation of Holly Park, Rainier Vista, and High Point in 1951, which Agreement was subsequently amended, in 1956, to include a provision pursuant to which the City waived, for an indefinite period of time, certain building and inspection fees which would otherwise be assessed in connection with work performed at these three communities pursuant to the Cooperation Agreement; and

WHEREAS, DCLU is required by State Law to recover fees for no more than the cost of service for an applicant's permit process, and fees can not be used to subsidize other applications or programs; and

WHEREAS, SHA has begun implementation of its plan to redevelop Holly Park which plan involves the demolition and reconstruction of the entire 102 acre community and will require a major commitment of time and resources on the part of the City's Department of Construction and Land Use which will give rise to the assessment of significant fees and nonpayment of such fees would work a hardship on the City; and

WHEREAS, the parties wish to cooperate in the redevelopment of Holly Park and have thus reached an agreement concerning fees which they wish to reduce to writing.

NOW, THEREFORE, the parties agree as follows:

1. This Agreement pertains only to the permit fees incurred in direct connection with on-site reconstruction and redevelopment of residential and community facilities accomplished in accordance with the implementation of the HOPE VI Revitalization Plan for Holly Park ("the Plan"). This Agreement is not intended to amend, interpret, nor shall it affect the Cooperation Agreement relative to High Point, Rainier Vista, and Holly Park activities other than the Holly Park HOPE VI Revitalization project efforts.
2. The City declares its support for the HOPE VI Revitalization Plan for Holly Park which anticipates financial assistance from the City. The City will work during the next six months to identify resources it will commit to the Revitalization effort.

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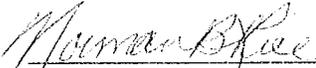
3. SHA agrees to pay permit fees which the City's Department of Construction and Land Use would assess in the normal course of business in connection with the implementation of the Plan at Holly Park. In exchange for SHA's agreement to pay permit fees the City makes the following commitments:

(a) The City's Department of Construction and Land Use will process all permits required for Holly Park redevelopment activities in a prompt and efficient manner, dependent on SHA's full cooperation and assistance in processing the permits; and

(b) As part of its financial assistance to the HOPE VI Revitalization effort, the City will, over the course of the redevelopment, reimburse SHA for all permit fees SHA pays which are required for Holly Park HOPE VI redevelopment activities. The City's reimbursement under this section may be in the form of a cash payment to SHA for use in implementing the Plan or of financing the construction of amenities or infrastructure or other improvements, of like value, located on the Holly Park site and contemplated by the Plan. The City's source of reimbursement is not limited to City General Funds, but may include any source of funds.

4. In the event the City or SHA fail to follow through on the commitments outlined above, SHA's obligation to pay permit fees under this Memorandum of Understanding and DCLU's obligation to perform associated permitting services for Holly Park HOPE VI as set forth in Section 3 of this Memorandum of Understanding shall cease and SHA shall have the right to terminate this Memorandum of Understanding and to seek recovery from the City of fees SHA has paid via a breach of contract action or any other appropriate legal action.

City of Seattle:

  
Norman B. Rice, Mayor

  
President of the City Council

Housing Authority of Seattle:

  
Harry Thomas, Executive Director

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Section 2. The Mayor or his designee is requested to submit semi-annual reports to the City Council detailing the amounts paid by the Seattle Housing Authority to the City for permit fees related to the redevelopment of Holly Park.

~~Section 2.~~ Section 3. Any acts made consistent with the authority and prior to the effective date of this ordinance are hereby ratified and confirmed.

~~Section 3.~~ Section 4. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

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open session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 1996.

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

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 1996.

\_\_\_\_\_  
Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 1996.

\_\_\_\_\_  
City Clerk

(Seal)

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

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 1996.

\_\_\_\_\_  
Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 1996.

\_\_\_\_\_  
City Clerk

(Seal)

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# City of Seattle

Executive Department - Office of Management and Planning

Thomas M. Tierney, Director  
Norman B. Rice, Mayor



February 20, 1996

Jan Drago, President  
Seattle City Council  
Seattle, Washington 98104

Dear President Drago:

With this letter we are transmitting an ordinance authorizing the Mayor to sign a Memorandum of Understanding with the Seattle Housing Authority regarding permit fees for redevelopment of Holly Park.

The Memorandum of Understanding (MOU) provides a mechanism by which the extensive land use review and permitting services of the Department of Construction and Land Use (DCLU) be paid in full by the Seattle Housing Authority for this important housing redevelopment and community-building project.

The MOU also distinguishes this extensive redevelopment project's needs for DCLU services from the historic Cooperation Agreements between the City and the Housing Authority. In return, the City commits to make contributions to the redevelopment project at least equal to the amount SHA pays for DCLU services.

The total cost of those permitting services will be based on the value of construction, which will become known as SHA continues its work involving the City and Holly Park Residents.

Thank you for consideration of this legislation. If Councilmembers have any questions or would like more information, please call Stephen Antupit in OMP at 684-8373.

Sincerely,

A handwritten signature in dark ink, appearing to read "Judy Bunnell".

Judy Bunnell for  
Tom Tierney

Attachment

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TIME AND DATE STAMP

**SPONSORSHIP**

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

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*Cheng Chow*

**FOR CITY COUNCIL PRESIDENT USE ONLY**

COMMITTEE(S) REFERRED TO: \_\_\_\_\_  
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PRESIDENT'S SIGNATURE

C. S. 20.28

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# City of Seattle

Executive Department—Office of Management and Planning

Thomas M. Tierney, Director  
Norman B. Rice, Mayor

February 16, 1996

The Honorable Mark Sidran  
City Attorney  
City of Seattle

Dear Mr. Sidran:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING  
DEPARTMENT: Construction and Land Use

SUBJECT: AN ORDINANCE relating to the Department of Construction and Land Use, authorizing the Mayor or his designee to sign a Memorandum of Understanding with the Seattle Housing Authority regarding permit fees for redevelopment of Holly Park.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMP. Any specific questions regarding the legislation can be directed to Stephen Antupit at 684-8373.

Sincerely,

Norman B. Rice  
Mayor

by



FOR Tom Tierney, Director

legis:antupit4

Enclosure



2/16/96  
Norman B. Rice  
Tom Tierney

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