



# TACOMA HOUSING AUTHORITY

## RESOLUTION 2019-08-28 (3)

**DATE:** August 28, 2019

**TO:** THA Board of Commissioners

**FROM:** Michael Mirra  
Executive Director

**RE:** Resolution to authorize THA to apply for financing to develop the site located at 1500 Court F Hillside Terrace

### Purpose

The purpose of this resolution is to authorize Tacoma Housing Authority's (THA) Executive Director to do the following for the development of the site at 1500 Court F Hillside Terrace:

- (1) Prepare, execute and submit funding applications, agreements and other documents necessary to secure funding from various financing courses to include, but not limited to, the City of Tacoma, Pierce County, the Washington State Housing Trust Fund, and the Washington State Housing Finance Commission for HOME, CDBG, 2060, trust fund, low income housing tax credits and other funding that might be applicable for the redevelopment of this site;
- (2) Expend such funds as may be necessary to be paid by the Authority in connection with filing fees, application fees, registration fees and other costs relating to the actions authorized by this resolution;
- (3) Form a limited partnership (1500 Court F LLLP) of which THA will be the general partner; and
- (4) Execute, deliver and/or file, on behalf of the Authority in its own behalf and in its capacity as the LLLP's general partner, as applicable, any other affidavits, certificates, letters, government forms, documents, agreements and instruments that the Executive Director determines to be necessary or desirable to give effect to this resolution and to consummate the transactions contemplated herein and/or in connection with the application for low income housing tax credits or other financing for the project.

### Background

THA is considering options to develop up to 53 new affordable units at its 1500 Hillside Terrace site. The current 16 units will be demolished in order to build a new single mid-rise elevator building consisting of one and two bedroom apartments. Staff expect that the new units will be affordable to households with incomes between 30% and 60% of area median income. These features are subject to change.

THA expects to lease the land and improvements to the LLLP for up to 99 years.

The financing structure is expected to include, but not limited to the following sources of funding: tax credit equity, City of Tacoma and Pierce County funds, private debt, bonds and Housing Trust Fund dollars.

**Recommendation**

Approve Resolution No. 2019-08-28 (3).





# TACOMA HOUSING AUTHORITY

## **THA BOC Resolution 2019-08-28 (3) (1500 Court F Hillside Terrace Authorizing Resolution)**

A **RESOLUTION** of the Housing Authority of the City of Tacoma authorizing (i) submission of applications for funding from sources to include but not limited to, Pierce County, City of Tacoma, Housing Trust Fund and Washington State Housing Finance Commission for an affordable rental housing project located at the 1500 Block of Court F in the City of Tacoma WA; (ii) expend such funds as may be necessary to be paid by the Authority in connection with filing fees, application fees, registration fees and other costs relating to the actions authorized by this resolution; (iii) the formation of a limited liability limited partnership of which the Authority will be the general partner; and (iv) the disposition by sale or lease of all or portions of the project site to the partnership, and providing for other matters properly related thereto.

**WHEREAS**, The Housing Authority of the City of Tacoma (the "Authority") seeks to encourage the provision of long-term housing for low-income persons within the City of Tacoma, Washington; and

**WHEREAS**, RCW 35.82.070(5) provides that a housing authority may, among other things and if certain conditions are met, "lease or rent any dwellings . . . buildings, structures or facilities embraced in any housing project"; and

**WHEREAS**, RCW 35.82.020 defines "housing project" to include, among other things, "any work or undertaking . . . to provide decent, safe and sanitary urban or rural dwellings, apartments, mobile home parks or other living accommodations for persons of low income"; and

**WHEREAS**, RCW 35.82.070(18) provides that a housing authority may, among other things and if certain conditions are met, "make . . . loans for the acquisition, construction, reconstruction, rehabilitation, improvement, leasing or refinancing of land, buildings, or developments for housing for persons of low income"; and

**WHEREAS**, The Authority expects to develop an affordable multifamily rental housing project consisting of up to 53 dwelling units, to be located at the 1500 Block of Court F in the City of Tacoma (the "Project"). The total financing for this project will require the use of various funding sources, which may include low income housing tax credits, HOME, CDBG, Housing Trust Fund, and 2060 funds and loans from public and private lenders and/or grants. Certain of those sources will require the creation of a limited partnership or limited liability company to maximize the benefits and minimize the risks to the Authority; and

**WHEREAS**, The Board finds and determines that both the Partnership and the Project will provide for the necessary support of the poor within the City, and that any financing provided by the Authority for the Project is important for project feasibility and is necessary to enable the Authority to carry out its powers and purposes under chapter 35.82 RCW; and

**WHEREAS**, Based on the consideration of funding sources available for the Project, the need for affordable housing in the City, and other matters, it is necessary that the Authority proceed with the transactions described in this resolution; now, therefore, be it

**RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY  
OF THE CITY OF TACOMA, as follows:**

1. The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority (in its individual capacity and/or in its capacity as the Partnership's general partner) to: (i) apply for, and enter into contracts relating to, such funding for the Project as they deem necessary or desirable, including without limitation public and/or private sector financing, an allocation of low income housing tax credits from the Washington State Housing Finance Commission, Washington State Housing Trust Fund grant and /or loan, Pierce County, the City of Tacoma and other federal, state and local funds (ii) seek and approve investors to serve as subsequent limited partners in the Partnership in connections with the receipt of low income housing tax credits for the Project (iii) negotiate with potential investors regarding their acquisition of limited partnership interest in the Partnership and (iv) prepare all appropriate resolutions for Board review

2. The Authority is authorized to expend such funds as may be necessary to be paid by the Authority in connection with filing fees, application fees, registration fees and other costs relating to the actions authorized by this resolution.

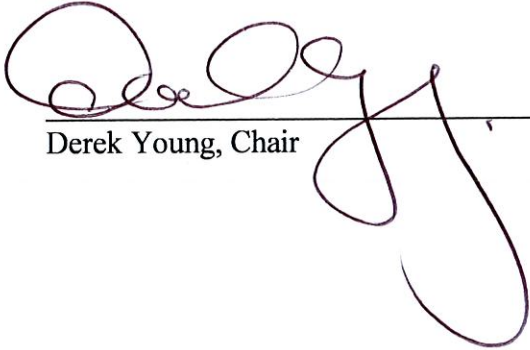
3. The Authority is authorized to participate in the formation of, and become a partner in, a Washington limited liability limited partnership (the "Partnership"). The Board intends that the Partnership will acquire, construct, equip, operate and maintain the Project and receive low-income housing tax credits in connection therewith. The Authority's Executive Director, The Authority's Deputy Executive Director and their respective designees (each, an "Authorized Officer" and, collectively, the "Authorized Officers"), and each of them acting alone, are authorized on behalf of the Authority to; (i) execute, deliver and file (or cause to be executed, delivered and filed), to the extent required by law, a partnership agreement, a certificate of limited partnership and all such forms, certificates, applications and other documents that are necessary to form the Partnership; (ii) determine the name of the Partnership; and (iii) take any other action that they deem necessary and advisable to give effect to this resolution and the transactions contemplated herein. The Authority's Executive Director is delegated as the authority to cause, in his discretion, the Partnership to be created as a Washington limited liability company, in which case all references in this resolution to limited liability limited partnership, partnership agreement, general partner, limited partner, chapter 25.10 RCW, and certificate of limited partnership shall be deemed to be references to limited liability company, operating agreement, managing member, investor member, chapter 25.15 RCW and certificate of formation, respectively.

4. Any action required by this resolution to be taken by the Executive Director of the Authority may, in his absence, be taken by the duly authorized acting Executive Director of the Authority.

5. Ratification and Confirmation. Any actions of the Authority or its officers prior to the date hereof and consistent with the terms of this resolution are ratified and confirmed.

6. Effective Date. This resolution shall be in full force and effect from and after its adoption and approval.

**Approved: August 28, 2019**



A handwritten signature in dark ink, consisting of several loops and a long, sweeping tail, is written over a horizontal line.

Derek Young, Chair

## CERTIFICATE

I, the undersigned, the duly chosen, qualified and acting Executive Director of the Housing Authority of the City of Tacoma (the "Authority") and keeper of the records of the Authority, CERTIFY:

1. That the attached Resolution No. 2019-08-28 (3) (the "Resolution") is a true and correct copy of the resolution of the Board of Commissioners of the Authority as adopted at a meeting of the Authority held on August 28, 2019, and duly recorded in the minute books of the Authority.

2. That such meeting was duly convened and held in all respects in accordance with law, and, to the extent required by law, due and proper notice of such meeting was given; that a quorum was present throughout the meeting and a majority of the members of the Board of Commissioners of the Authority present at the meeting voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption of the Resolution have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand on August 28, 2019.

HOUSING AUTHORITY OF THE CITY OF  
TACOMA

By: Michael Mirra  
Michael Mirra, Executive Director