



City Council Study Session

AGENDA **REVISED**

November 8, 2011

6:30 pm – 8:00 pm

Call to Order

Public Comment

This is an opportunity for the public to address the Council. Three-minutes limit per person or 5 minutes if representing the official position of a recognized community organization.

Topics

- Quarterly Report: Department of Community Development
- Discussion: Lamb House Transfer
- Discussion: Drainage Solutions for Tamarack, Inglewood and SE 24th Way Neighborhoods

Adjournment

City Council meetings are wheelchair accessible. American Sign Language (ASL) interpretation is available upon request. Please phone (425) 295-0500 at least 48 hours in advance. Assisted Listening Devices are also available upon request.



801 – 228th Avenue SE • Sammamish, WA 98075 • Phone: 425.295.0500 • Fax: 425.295.0600 • web: www.ci.sammamish.wa.us

TO: Ben Yazici, City Manager

November 8, 2011

FM: Lyman Howard, Deputy City Manager

RE: Conveying the Lamb property to Habitat for Humanity

Summary Statement:

The proposed resolution would authorize the City Manager to execute appropriate documents to convey the Lamb house property to the Habitat for Humanity of East King County (Habitat). Habitat will use the property to develop affordable housing for Sammamish. This would formally implement previous City Council direction. A public hearing, scheduled for November 14, is required as the value of the property is over \$50,000. Attached is a copy of the draft resolution, proposed conditions and schedule, and a vicinity map.

Background:

The Lamb House has been used as a maintenance facility by the Department of Public Works since its acquisition in October of 2000. With the completion of the Maintenance and Operations facility on 244th Avenue NE, the Lamb house is no longer needed by Public Works and the site is appropriate for zoned residential purposes.

Habitat for Humanity of East King County is an affiliate of Habitat for Humanity International. Since its founding in 1988, this chapter has built over 107 homes in the cities of Bellevue, Carnation, Issaquah, Kirkland, Newcastle, Redmond, Sammamish, and Snoqualmie. Their goal is to make it possible for low-income Eastside residents to be able to purchase simple, decent, affordable homes. Habitat will need to go through the permitting process for approval of development plans for the property.

Staff has reviewed options for transferring the property to Habitat and concludes the best method is to deed the property to Habitat subject to conditions regarding affordability levels, maintaining long term affordability, project implementation, and other issues. This agreement would be similar to those used by the city for city funds allocated to affordable housing in the ARCH Trust Fund application process. Attachment "A" to the resolution is a general list of the recommended conditions that would be incorporated into the agreement. Conveying the property will be conditioned upon addressing these items. If Habitat does not develop the property in accordance with the conditions, ownership of the property would revert to the City.

Financial Impact:

The King County Department of Assessments appraised value of the property in 2011 is \$467,000. Pursuant to state constitutional requirement the city may transfer property for allowed public purposes

such as affordable housing to serve residents at 50% of median income. The property will be placed on the tax roll after transfer from the city.

CITY OF SAMMAMISH
WASHINGTON
RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SAMMAMISH,
WASHINGTON, DECLARING CERTAIN REAL
PROPERTY COMMONLY KNOWN AS THE “LAMB
HOUSE” TO BE SURPLUS TO THE NEEDS OF THE CITY
AND AUTHORIZING THE TRANSFER OF SAID
PROPERTY TO HABITAT FOR HUMANITY FOR USE AS
AFFORDABLE HOUSING**

WHEREAS, the City of Sammamish is the owner of real property, located in the 2000 block of 228th Avenue Southeast, commonly known as the “Lamb House;” and

WHEREAS, until recently, said property was occupied by the operations and maintenance staff of the City’s Public Works Department; and

WHEREAS, the City has constructed a new operations and maintenance facility on 244th Avenue and the Lamb House is now surplus to the needs of the City; and

WHEREAS, the City Council wishes to provide affordable housing opportunities within the City; and

WHEREAS, the City of Sammamish Comprehensive Plan Housing Element contains the following goal and policies:

GOAL HG-7: The City shall address targets for housing affordable to low and moderate income households which should be consistent with targets in the King County Countywide Planning Policies.

HP-15: The City should support the design of affordable housing that is compatible with neighborhood character and is dispersed throughout the community.

HP-16: The City should support public-private partnerships to develop and maintain an adequate supply of single family and multifamily housing for all economic segments of the population.

HP-22: The City should consider strategies for providing financial and/or technical assistance to establish affordable housing for low and moderate income households; and

WHEREAS, Habitat for Humanity is an international non-profit organization dedicated to providing affordable housing to those in need; and

WHEREAS, the City Council desires to transfer the Lamb House to Habitat for Humanity of East King County, an affiliate of the international organization, for the purpose of constructing affordable housing on the property subject to certain terms and conditions; and

WHEREAS, Habitat for Humanity of East King County has expressed a desire to accept the property; and

WHEREAS, the Council has conducted a public hearing on _____, 2011 regarding the proposed transfer of the property to Habitat for Humanity of East King County; and

WHEREAS, the City Council finds that it is in the best interest of the City to declare the property surplus and authorize the City Manager to carry out the transfer of the property to Habitat for Humanity of East King County;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. That the real property owned by the City commonly known as the “Lamb House”, tax parcel # 0324069057, and legally described as the West 225 feet of the North ½ of the Southwest ¼ of the Southwest ¼ less the County road, is hereby declared surplus to the needs of the City.

Section 2. That is in the best interests of the City to transfer said surplus property to Habitat for Humanity of East King County.

Section 3. That a condition of the transfer is that the property shall be used to provide affordable ownership housing and related uses, such as parking and play areas, for no less than seventy-five (75) years. No alternative use(s) shall be permitted on the property unless written authorization is obtained from the City.

Section 4. That the transfer of the property shall also be contingent upon meeting the additional conditions set forth in the attached, Exhibit “A,” to this resolution.

Section 5. That the City Manager is authorized to take all necessary steps to effectuate the transfer of the property in accordance with the terms and conditions of this resolution and applicable law, including executing all documents necessary to carry out the property transfer.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE _____ DAY OF _____, 2011.

CITY OF SAMMAMISH

Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Resolution No.:
Date Posted:

EXHIBIT "A"

ADDITIONAL CONDITIONS OF TRANSFER

1. The property, or any portion thereof, shall not be sold, transferred or otherwise conveyed without the prior written consent of the City;
2. The transfer shall include a "right of reverter" to the City. In the event that Habitat for Humanity fails to satisfy any of the conditions of the transfer, the title to said property shall revert back to the City. In the event the conditions of this transfer cannot be satisfied, Habitat shall immediately notify the City in writing. The City reserves the right to recover the property.
3. Habitat for Humanity shall comply with all federal, state and local laws and regulations applicable to the development of the property for affordable housing;
4. Habitat and the City shall develop a scheduled time line for obtaining permits, securing funding, completing construction and other activities and this schedule shall be incorporated into the transfer documents. In the event that Habitat is unable to meet the schedule for any individual activity, an extension may be requested provided the request is submitted to City staff no later than sixty (60) days prior to the expiration date for the activity. City staff shall have sole discretion to grant or deny extensions and such decisions shall be based upon receipt of satisfactory information documenting that meaningful progress has occurred in bringing the project to readiness and/or completion.
5. Prior to submitting applications for public funding, and based upon an approved land use design, Habitat shall provide a more detailed project schedule, and development budget (including proposed funding sources) to city staff for their review and approval.
6. Commencing on the date that Habitat takes title to the property: (a) they will maintain the property in a clean and neat condition; and (b) they may remove any structure located on the site at their sole cost and expense.
7. A developer regulatory agreement and individual re-sale agreement will be recorded ensuring affordability for each of the ownership housing units for at least seventy-five (75) years. All of the units shall be affordable to families with incomes at or below 60% of median income and the majority of units shall be affordable to families with incomes at or below 50% of median income. The developer regulatory agreement and resale agreements shall be in a form and content satisfactory to the City.

8. If Habitat is unable to adhere to the budget or project description, city staff must be notified within 30 days and a new budget shall be submitted by Habitat for the City's approval. The City shall not unreasonably withhold its approval to a revised budget, so long as such new budget does not materially adversely change the Project.
9. Prior to starting construction on individual buildings, Habitat shall provide evidence for the city's review and approval, that Habitat has sufficient resources to complete the building.
10. Prior to conveyance, Habitat shall grant the City a permanent easement for right of way. The city shall determine the location and configuration and any other provisions for an easement, if any, needed to allow for future extension SE 20th Street. It is understood that the city may convert this easement to public Right-of-Way as needed following conveyance.
11. Prior to conveyance, Habitat shall submit evidence of insurance as follows:
Habitat shall, at all times through completion of the project, at its cost and expense, carry and maintain general public liability insurance against claims for bodily injury, personal injury, death or property damage occurring or arising out of activities under this Agreement, which insurance shall cover such claims as may be occasioned by any act, omission, or negligence of the Agency or its officers, agents, representatives, assigns or servants. The minimum limits of liability for bodily injury and property damage shall be \$1,000,000 each occurrence and \$2,000,000 general and Products/Completed Operations aggregate. The insurance required above shall be issued by an insurance company acceptable to the City. The City shall be specifically named as an additional insured on all such policies

HABITAT SAMMAMISH PROPERTY PROJECT SCHEDULE

Activity	2011	2012
Preliminary Site Analysis	XXX	
Environmental Assessment	XXX	
City Council Authorization for Transfer	XXX	
Transfer Agreement Finalized		XXX
Land Use Entitlements/Binding Site Plan		
Cottage Demonstration process (Includes neighborhood outreach)		XXXXXXXXXX
Finalize Access Configuration		XXXXXXXXXX
Determine impact/permit fees		XXXXXXXXXX
Sufficient design detail needed for public funding requests		XXXXXXXXXX
Complete Land Transfer		XXXXXX

Note: It is understood that applying for public funds for infrastructure is a competitive process that may require applying more than once; and, that many funding sources only have one funding opportunity per year. Habitat will make a good faith effort to secure public funding no later than 2013, but it is acknowledged that funding may take longer due to the nature of the public funding process.

Lamb House Property



228th Ave SE

SE 20th St

SE 21st St

SE 21st Pl