



Legislation Text

File #: CB 120059, Version: 2

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to funding for housing and community development programs; adopting Annual Action Plan updates to the 2018 - 2022 Consolidated Plan for Housing and Community Development; authorizing submission of the Annual Action Plans to the United States Department of Housing and Urban Development (HUD); authorizing acceptance of grant funds from HUD for programs and activities included in the 2019 and 2021 Annual Action Plans; amending Ordinance 126237, which adopted the 2021 Budget, by modifying appropriations to various departments and budget control levels in the 2021 Adopted Budget; and ratifying and confirming certain prior acts.

WHEREAS, Ordinance 125647 adopted the City’s 2018 - 2022 Consolidated Plan for Housing and Community Development (“Consolidated Plan”); and

WHEREAS, the United States Department of Housing and Urban Development (HUD) requires each local jurisdiction seeking certain federal assistance to provide an annual action plan for its current Consolidated Plan for Housing and Community Development, which guides the annual allocation of funds from the Community Development Block Grant (CDBG) Program, HOME Investment Partnerships (HOME) Program, Emergency Solutions Grant (ESG) Program, and Housing Opportunities for Persons with AIDS (HOPWA) Program; and

WHEREAS, the Mayor has proposed a 2021 Annual Action Plan (AAP) to the Consolidated Plan; and

WHEREAS, a draft of the 2021 AAP was developed alongside the 2021 City Budget, with input from a number of publicly vetted needs assessments and policy documents, and the AAP was available for public review and comment for 30 days prior to a public hearing in December 2020; and

WHEREAS, Ordinance 126237 adopted the City’s 2021 Annual Budget based upon assumptions developed in 2020 about CDBG, HOME, ESG, and HOPWA grant amounts from HUD; and

WHEREAS, the actual 2021 grant amounts from HUD differ from those assumptions; and

WHEREAS, HUD has required each local jurisdiction to provide substantial amendments to the same Annual Action Plan for all funds authorized under the Coronavirus Aid, Relief, and Economic Security (CARES) Act; and

WHEREAS, Ordinance 126105 adopted a substantial amendment to the 2019 Annual Action Plan to adopt prior allocations from the CARES Act; and

WHEREAS, a substantial amendment to the 2019 AAP to the Consolidated Plan has been proposed to accept the third tranche of CDBG appropriated under the CARES Act; and

WHEREAS, a substantial amendment to the 2020 AAP to the Consolidated Plan has been proposed, which describes CDBG budget changes to respond to the COVID-19 pandemic; and

WHEREAS, the budget changes in the substantial amendment to the 2020 AAP have been legislated in Ordinance 126211; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Seattle City Council adopts the 2021 Annual Action Plan (AAP) to the 2018 - 2022 Consolidated Plan for Housing and Community Development, attached to this ordinance as Attachment 1; the substantial amendment to the 2019 AAP, attached to this ordinance as Attachment 2; and the substantial amendment to the 2020 AAP, attached to this ordinance as Attachment 3.

Section 2. The Mayor and the Director of Human Services (“Director”) or their designees are authorized to submit the adopted AAPs, together with any necessary supplementary material, to the United States Department of Housing and Urban Development (HUD) as the application by the City for financial assistance under certain HUD programs; to represent the City in seeking HUD approval of the AAPs; to make and submit to HUD such modifications to the AAPs as HUD may require, provided that no substantial policy changes are involved; and to sign and deliver on behalf of the City such assurances and certifications as may be necessary to obtain HUD approval. The Director or Director’s designee is further authorized to make such technical and

conforming changes to the AAPs as may be deemed reasonably necessary, and to amend the AAPs, if necessary or appropriate under federal regulations, to reflect funding of specific activities, final appropriations in any Adopted Budget or amendments to an Adopted Budget, or changes in activities that are consistent with the policies and priorities established in the City’s 2018 - 2022 Consolidated Plan for Housing and Community Development (“Consolidated Plan”). Any substantial amendment as defined by the Citizen Participation Plan of the Consolidated Plan shall require approval by the Council by ordinance or resolution.

Section 3. The allocations set forth in the AAPs do not constitute appropriations and are not final decisions to undertake any project or to award any subgrant or contract. The authority of the respective City departments and offices to implement the activities set forth in the AAPs is subject to sufficient appropriations in the City of Seattle 2021 Budget, as amended by this ordinance or in any separate ordinance. Implementation of any specific project or program is also subject to a final determination by the appropriate office or department after completion of any necessary review under environmental and related laws. No part of any AAP is intended to confer any legal rights or entitlements on any persons, groups, or entities.

Section 4. The Mayor or the Mayor’s designee is authorized to execute, deliver, and perform for and on behalf of The City of Seattle such agreements as are reasonably necessary to accept financial assistance from HUD for the following grant programs up to the maximum amounts listed below:

Grant Program	Amount
Community Development Block Grant (CDBG)	\$9,395,488
Community Development Block Grant - CARES Act (CDBG-CV)	\$5,580,854
Housing Opportunities for Persons with AIDS (HOPWA)	\$3,150,304
Emergency Solutions Grant (ESG)	\$817,674
HOME Investment Partnerships (HOME)	\$3,371,865

CDBG funds, when received, shall be deposited into the Human Services Fund (16200), Low-Income Housing Fund (16400), Office of Housing Fund (16600), General Fund (00100), and Park and Recreation Fund (10200). HOME funds, when received, shall be deposited into the Low-Income Housing Fund (16400). HOPWA and

ESG funds, when received, shall be deposited into the Human Services Fund (16200). The Mayor or the Mayor’s designee is further authorized to execute and deliver such other documents relating to the agreements as may be required.

Section 5. The appropriations for the following items in the 2021 Adopted Budget are increased for the funds shown, as follows:

Item	Department	Fund	Budget Summary Level/BCL Code	Amount
5.1	Human Services Department	Human Services Fund (16200)	Addressing Homelessness (BO-HS-H3000)	\$131,632
5.2	Executive (Office of Economic Development)	General Fund	Business Services (BO-ED-X1D00)	\$325
Total				\$131,957

Section 6. The appropriations for the following items in the 2021 Adopted Budget are decreased for the funds shown, as follows:

Item	Department	Fund	Budget Summary Level/BCL Code	Amount
6.1	Executive (Office of Housing)	Low Income Housing Fund (16400)	Multifamily Housing (BO-HU-3000)	(\$18,748)
6.2	Human Services Department	Human Services Fund (16200)	Supporting Affordability and Livability (BO-HS-H1000)	(\$107,071)
Total				(\$125,819)

Section 7. Unspent funds appropriated in this ordinance shall carry forward to subsequent fiscal years until they are exhausted or abandoned by ordinance.

Section 8. Execution of the agreements authorized in Section 4 of this ordinance, and any other act consistent with the authority and taken prior to the effective date of this ordinance, is ratified and confirmed.

Section 9. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2021, and signed by
me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - 2021 Annual Action Plan

Attachment 2 - 2019 Annual Action Plan Substantial Amendment

Attachment 3 - 2020 Annual Action Plan Substantial Amendment