



Legislation Text

File #: CB 120101, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to housing for low-income households; adopting the Housing Levy Administrative and Financial Plan for program years 2021-2023; adopting Housing Funding Policies for the 2016 Housing Levy and other fund sources; authorizing actions by the Director of Housing regarding past and future housing loans and contracts; and ratifying and confirming certain prior acts.

WHEREAS, pursuant to Ordinance 125028, in 2016 Seattle voters approved the levy of property taxes for the purpose of financing and supporting housing for low-income households (“Housing Levy”); and

WHEREAS, Ordinance 125028 provides for periodic adoption by the City Council of an Administrative and Financial Plan for programs funded by the 2016 Housing Levy; and

WHEREAS, related market conditions and policies and funding at the federal, state, and local levels change rapidly, requiring reasonably flexible approaches to affordable housing development and rehabilitation; and

WHEREAS, in 2017 City Council adopted an Administrative and Financial Plan for program years 2017 and 2018, by Ordinance 125308; and

WHEREAS, in 2019 City Council adopted an Administrative and Financial Plan for program years 2019 and 2020, by Ordinance 125852; and

WHEREAS, the Office of Housing, with the Housing Levy Oversight Committee, has developed policies for Housing Levy programs for 2021-2023; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City Council adopts the 2016 Seattle Housing Levy Administrative and Financial Plan

for program years 2021-2023, attached to this ordinance as Exhibit A (“A&F Plan”). The A&F Plan incorporates the Housing Funding Policies attached to this ordinance as Exhibit B (“Funding Policies”), except those policies that specifically apply only to fund sources other than the 2016 Housing Levy and except as otherwise stated in the A&F Plan or Funding Policies.

Section 2. The City Council adopts the Funding Policies attached to this ordinance as Exhibit B. The Funding Policies supersede the Housing Funding Policies adopted by Ordinance 125852 (“2019-2020 Policies”) except as provided in Section 4 of this ordinance. The Funding Policies authorize certain actions and approvals by the Housing Director regarding loans and contracts made under the Funding Policies and those made under prior plans, policies, and ordinances. That authority is granted in addition to, and not in limitation of, any authority under prior plans, policies, and ordinances.

Section 3. The A&F Plan and Funding Policies are intended to provide policy direction for the implementation of programs funded by the 2016 Housing Levy, and for the use of other housing funds to the extent provided in Exhibit B to this ordinance, and to provide authority for the Office of Housing and the Human Services Department, but not to confer any legal rights or entitlements on any persons, groups, or entities.

Section 4. The A&F Plan and Funding Policies are effective as of January 1, 2021, and shall remain in effect until amended or superseded by ordinance, except as provided in this section. Any actions on or after January 1, 2021, conforming to the A&F Plan and Funding Policies, as applicable, are ratified and confirmed. The terms of the A&F Plan and Funding Policies shall not require changes to the terms, or to the implementation, of any contract in effect prior to the effective date of this ordinance. The Director of Housing may implement funding awards made prior to January 1, 2021, in a manner consistent with policies in effect when the related notice of funding availability was issued or the application was submitted, whether or not there is a binding agreement prior to the effective date of this ordinance, anything in the A&F Plan or Funding Policies notwithstanding. However, with the agreement of the borrower or applicant, the Director of Housing

may apply provisions of the A&F Plan, or Funding Policies, that are not specific to the 2016 Housing Levy, to agreements implementing such previous funding awards, and any provisions of any agreement or amendment conforming to those provisions are ratified and confirmed.

Section 5. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or any exhibit to this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of any other provisions of this ordinance or its exhibits, or the validity of their application to other persons or circumstances.

Section 6. Subject to Section 4 of this ordinance, 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:

Exhibit A - Seattle Housing Levy Administrative & Financial Plan Program Years 2021-2023, as amended

Exhibit B - Housing Funding Policies, as amended