# Legislation Details (With Text)

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| **File #:** | CB 119024 **Version:** 1 | **Name:** | CB 119024 |
| **Type:** | Ordinance (Ord) | **Status:** | Passed |
| | | **In control:** | City Clerk |
| **On agenda:** | 7/24/2017 | | |
| **Final Action:** | 8/2/2017 | **Ord. No.** | Ord 125365 |
| **Title:** | AN ORDINANCE relating to funding for housing and community development programs; adopting The City of Seattle 2017 Annual Action Plan to the 2014 - 2017 Consolidated Plan for Housing and Community Development and authorizing its submission to the United States Department of Housing and Urban Development; authorizing acceptance of grant funds from that department for programs and activities included in the Annual Action Plan; amending Ordinance 125207, which adopted the 2017 Budget, by modifying appropriations to various departments and budget control levels in the 2017 Adopted Budget; and lifting a proviso; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council. | | |
| **Sponsors:** | Tim Burgess | | |
| **Indexes:** | | | |
| **Attachments:** | 1. Att A - 2017 Annual Action Plan v2, 2. Att A - 2017 Annual Action Plan v1, 3. Summary and Fiscal Note, 4. Proposed Substutitue - Att A 2017 Annual Action Plan v2, 5. Signed Ordinance 125365, 6. Affidavit of Publication | | |

| Date | Ver. | Action By | Action | Result |
|---|---|---|---|---|
| 8/2/2017 | 1 | City Clerk | attested by City Clerk | |
| 8/2/2017 | 1 | Mayor | returned | |
| 7/28/2017 | 1 | Mayor | Signed | |
| 7/25/2017 | 1 | City Clerk | submitted for Mayor's signature | |
| 7/24/2017 | 1 | City Council | passed | Pass |
| 7/19/2017 | 1 | Affordable Housing, Neighborhoods, and Finance Committee | pass as amended | Pass |
| 7/10/2017 | 1 | City Council | referred | |
| 7/6/2017 | 1 | Council President's Office | sent for review | |
| 7/5/2017 | 1 | City Clerk | sent for review | |
| 7/3/2017 | 1 | Mayor | Mayor's leg transmitted to Council | |

## CITY OF SEATTLE

## ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to funding for housing and community development programs; adopting The City of Seattle 2017 Annual Action Plan to the 2014 - 2017 Consolidated Plan for Housing and Community Development and authorizing its submission to the United States Department of Housing and Urban Development; authorizing acceptance of grant funds from that department for programs and activities



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included in the Annual Action Plan; amending Ordinance 125207, which adopted the 2017 Budget, by modifying appropriations to various departments and budget control levels in the 2017 Adopted Budget; and lifting a proviso; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

WHEREAS, the United States Department of Housing and Urban Development (HUD) has required 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 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, Ordinance 124496 adopted the City's 2014 - 2017 Consolidated Plan for Housing and Community Development ("the Consolidated Plan"); and

WHEREAS, the Mayor has proposed a 2017 Annual Action Plan (AAP) to the Consolidated Plan; and

WHEREAS, a draft version of the AAP was released for public view and comment in November 2016; and

WHEREAS, the AAP was developed with input from a number of publicly vetted needs assessments and policy documents, and the AAP will be available for public review and comment for 15 days prior to the passage of this ordinance; and

WHEREAS, the City Council placed a proviso on $362,500 in the 2017 Adopted Budget for the King Street Station activation (the "Project"), as part of The Mayor's Commercial Affordability Action Plan, and the money may be spent for no other purpose except to support the Office of Economic Development showing how it will work with community leaders in Chinatown-International District (CID) and Pioneer Square on advancing the Project; and

WHEREAS, the Office of Economic Development has determined that more time is needed to complete additional feasibility assessments; therefore the Project will not be able to proceed in 2017, as originally anticipated, without jeopardizing compliance with HUD's Expenditure Timeliness requirements; and

WHEREAS, the Office of Economic Development will continue to work closely with community leaders in the

CID and Pioneer Square to define the project scope, identifying the different ways in which the Project will involve the adjacent communities in development, provide commercial affordability opportunities to food and retail small businesses, including low-income immigrant and refugee entrepreneurs, and provide area benefits to CID and Pioneer Square, including cross-cultural interactions; and

WHEREAS, the Office of Economic Development will use community input to define the Project in a Request for Proposal; and

WHEREAS, the Office of Economic Development is committed to including community leaders on the panel for selecting a project partner; and

WHEREAS, Ordinance 125207 adopted the City's 2017 Annual Budget based upon assumptions about CDBG, HOME, ESG, and HOPWA grant amounts from HUD; and

WHEREAS, the actual grant amounts from HUD differ from those assumptions; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. The Seattle City Council adopts the 2017 Annual Action Plan to the 2014 - 2017 Consolidated Plan for Housing and Community Development (AAP), attached to this ordinance as Attachment 1.

Section 2. The Mayor and the Director of Human Services (Director) or their designees are authorized to submit the adopted AAP, 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 AAP; to make and submit to HUD such modifications to the AAP 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 AAP as may be deemed reasonably necessary, and to amend the AAP, 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 2014 - 2017 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 restrictions imposed by the following budget proviso are removed and they are no longer restrictions for any purpose of Ordinance 125207.

| **Department** | **2017 Green Sheet** | **Proviso** | **Budget Control Level** |
|---|---|---|---|
| Executive | 171-1-A-3 | Of the appropriation in the 2017 budget for the Office of Economic Development's (OED) CDBG - Office of Economic Development BCL, $362,500 is appropriated for the King Street Station activation described in the Mayor's Commercial Affordability Action Plan and may be spent for no other purpose. None of the money appropriated for this purpose may be spent except to support the work OED is to report on as enumerated below, until OED files with the City Clerk a report showing that: (1) OED has worked closely with community leaders in Chinatown-International District (CID) and Pioneer Square to define the project scope, identifying the different ways in which the project will involve the adjacent communities in development, provide commercial affordability opportunities to food and retail small businesses, including low-income immigrant and refugee entrepreneurs, and provide area benefits to CID and Pioneer Square, including cross-cultural interactions; (2) used this community input to define the project in the Request for Proposal; and (3) committed to including community leaders on the panel for selecting a project partner. OED should provide a courtesy copy of the report to the chair of the Council's Committee on Civil Rights, Utilities, Economic Development & Arts. | CDBG - Office of Economic Development (17810-6XD10) |

Section 4. The allocations set forth in the AAP 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 AAP is subject to sufficient appropriations in the City of Seattle 2017 Adopted 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 the AAP is intended to confer any legal rights or entitlements on any persons, groups, or entities.

Section 5. 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:

| | |
|---|---|
| Community Development Block Grant (CDBG) | $8,848,381 |
| HOME Investment Partnership (HOME) | $2,397,161 |
| Housing Opportunities for Persons with AIDS (HOPWA) | $2,032,386 |
| Emergency Solutions Grant (ESG) | $808,890 |

CDBG funds, when received, shall be deposited into the CDBG Main Fund (17810). HOME funds, when received, shall be deposited into the HOME Subfund (16490) of the Low-Income Housing Fund (16400). HOPWA and ESG funds, when received, shall be deposited into the Human Services Operating 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 6. The appropriations for the following items in the 2017 Adopted Budget are decreased for the funds shown, as follows:

| Item | Fund Name and Number | Department | Budget Control Level | Amount |
|---|---|---|---|---|
| 6.1 | Low Income Housing Fund / HOME Subfund (16400) | Executive | Low-Income Housing Fund 16400 (16400-XZ-R1) | ($91,310) |


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| 6.2 | Community Development Block Grant (17810) | Executive | CDBG - Office of Economic Development (17810-6XD10) | ($352,822) |

Section 7. The appropriations for the following items in the 2017 Adopted Budget are increased for the funds shown, as follows:

| **Item** | **Fund Name and Number** | **Department** | **Budget Control Level** | **Amount** |
|---|---|---|---|---|
| 7.1 | Community Development Block Grant (17810) | Executive | CDBG - Office of Housing (17810-6XZ10) | $201,485 |
| 7.2 | Community Development Block Grant (17810) | Human Services Department | CDBG - Human Services Department (17810-6HSD10) | $752,960 |
| 7.3 | Human Services Operating Fund (16200) | Human Services Department | Division of Homeless Strategy and Investment (16200-H30ET) | $237,800 |
| 7.4 | Community Development Block Grant (17810) | Department of Parks and Recreation | Parks Infrastructure (17810-CIP) (17810-K72441) | $214,390 |

Section 8. Unspent funds appropriated in this ordinance shall carry forward to subsequent fiscal years until they are exhausted or abandoned by ordinance. In accordance with RCW 35.32A.060, the foregoing appropriations are made to meet actual necessary expenditures of the City for which insufficient appropriations have been made due to causes which could not reasonably have been foreseen at the time of the making of the 2017 Budget.

Section 9. Execution of the agreements authorized in Section 5 of this ordinance, and other acts pursuant to the authority and prior to the effective date of this ordinance, are ratified and confirmed.

Section 10. 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 a 3/4 vote of all the members of the City Council the _____ day of _____, 2017, and signed by me in open session in authentication of its passage this _____ day of _____, 2017.

_____

President _____ of the City Council

Approved by me this _____ day of _____, 2017.

_____

Edward B. Murray, Mayor

Filed by me this _____ day of _____, 2017.

_____

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:
Attachment A - 2017 Annual Action Plan to the 2014 - 2017 Consolidated Plan for Housing and Community Development