



Legislation Text

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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 2019 and 2020; 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, in 2017 City Council adopted an Administrative and Financial Plan for program years 2017 and 2018, by Ordinance 125308; and

WHEREAS, in 2019 Mayor Durkan issued Executive Order 2019-02, calling on City departments to act with urgency to address residential displacement and increase affordability with priority actions in 2019, and directing the Office of Housing to update its Housing Funding Policies to further address residential displacement, including through policies that: encourage partnership with community-based organizations, particularly in high-displacement-risk areas; allow for continued financing under the Acquisition and Preservation Program; and expand scope of home repair program to help low-income homeowners stay in their homes; and

WHEREAS, Executive Order 2019-02, building off community advocacy, directed the Office of Housing to develop a policy that encourages housing developers to propose and implement Community Preference

in the leasing and sale of City-funded rental and ownership housing located in high-displacement-risk neighborhoods, on a case-by-case basis; and

WHEREAS, the Office of Housing is committed to affirmatively furthering fair housing, which includes increasing affordable housing options, ending segregation and discrimination, and addressing displacement, and policies on Affirmative Marketing and Community Preference can advance that commitment; and

WHEREAS, The City Council supports the proposed policies on Affirmative Marketing and Community Preference, and intends to provide funding in the 2020 proposed budget to assist with the effective implementation of such policies by community-based organizations; and

WHEREAS, the City recognizes the need for capacity building for community based, non-profit organizations that are culturally relevant and historically rooted in their communities and who desire be involved in the development of housing in such communities that are at high risk of displacement; and

WHEREAS, the Office of Housing has determined that policies for Housing Levy funding and for other fund sources administered by the Office of Housing that support housing for low-income households should be combined in a Housing Funding Policies document to improve accessibility and clarity; and

WHEREAS, the Office of Housing, with the Housing Levy Oversight Committee, has developed policies for Housing Levy programs for 2019 and 2020, and has developed additional funding policies for housing based in part on requirements of other federal, state, and local fund sources administered by the Office of Housing; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City Council hereby adopts the 2016 Seattle Housing Levy Administrative and Financial Plan for program years 2019 and 2020, 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 hereby adopts the Funding Policies attached to this ordinance as Exhibit B. The Funding Policies supersede the Housing Funding Policies adopted by Ordinance 125308 (“2017 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 Office of Housing (OH) is requested to obtain information on the use of the following by providers operating city-funded housing projects: 1) mutual lease termination agreements; and 2) payment plans for tenants who are in arrears on rent, etc. before eviction proceedings have begun. OH will convene housing providers and other interested stakeholders to obtain this and other information related to the use of such agreements and plans. OH will provide a report to the Council on its findings including policy recommendations that may require amendments to the Seattle Housing Levy Administrative and Financial Plan and Housing Funding Policies. This report will be provided to the Council no later than April 30, 2020.

Section 4. OH and Finance and Administrative Services (FAS) will do an evaluation of strategies to advance labor equity outcomes in affordable housing development in Seattle, including a comprehensive evaluation of the “K” site pilot. The evaluation of the “K” site pilot project will specifically gather data on Priority Hire Program outcomes, including: apprentice utilization, preferred entry to apprenticeship programs, utilization of workers from economically distressed areas, etc. The report on this evaluation will be provided to the City Council’s Housing, Health, Energy and Workers’ Rights (HHEWR) Committee (or successor Committee) by December 31, 2020. In addition, the Executive will develop a proposal for the collection of data from developers of city-funded rental housing projects. This data could include: apprentice utilization, number of workers graduating from pre-apprenticeship programs; number of workers on who participated in mentoring and other training programs; and address or zip codes information for employees. The Executive’s

proposal will include: data to be collected; which City department will collect the data; when data will begin to be collected; and when reports will be submitted to the City Council. The Executive will submit this proposal to the City Council's HHEWR Committee by September 30, 2019.

Section 5. 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 6. The A&F Plan and Funding Policies are effective as of January 1, 2019 and shall remain in effect until amended or superseded by ordinance, except as provided in this section. Any actions on or after January 1, 2019, 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, 2019, 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 7. 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 8. 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 _____, 2019, and signed by me in open session in authentication of its passage this ____ day of _____, 2019.

President _____ of the City Council

Approved by me this _____ day of _____, 2019.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2019.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Exhibit A - Seattle Housing Levy Administrative & Financial Plan Program Years 2019-2020

Exhibit B - Housing Funding Policies