



Legislation Text

File #: CB 119785, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to funding for housing and community development programs; adopting The City of Seattle 2020 Annual Action Plan to the 2018-2022 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 126000 which adopted the 2020 Budget, by modifying appropriations to various departments and budget control levels in the 2020 Adopted Budget; 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 125647 adopted the City's 2018 - 2022 Consolidated Plan for Housing and Community Development ("the Consolidated Plan"); and

WHEREAS, the Mayor has proposed a 2020 Annual Action Plan (AAP) to the Consolidated Plan; and

WHEREAS, a draft version of the AAP was released for public view and comment in December 2019; and a second public hearing is anticipated in a late April 2020 Council session; and

WHEREAS, the AAP was developed 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 the passage of this ordinance; and

WHEREAS, an additional five-day comment period was provided regarding the funding changes proposed for the City's COVID-19 response efforts in accordance with HUD's March 31, 2020 Guidance Memo titled *Availability of Waivers of Community Planning and Development (CPD) Grant Program and Consolidated Plan Requirements to Prevent the Spread of COVID-19 and Mitigate Economic Impacts Caused by COVID-19*; and

WHEREAS, Ordinance 126000 adopted the City's 2020 Annual Budget based upon assumptions developed in 2019 about CDBG, HOME, ESG, and HOPWA grant amounts from HUD; and

WHEREAS, the actual 2020 grant amounts from HUD differ from those assumptions;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City Council finds and declares that:

A. Governor's Proclamation 20-28 prohibits all action of agencies, as defined in RCW 42.30.020, unless the action is 1) necessary and routine; or 2) necessary in response to the COVID-19 public health emergency.

B. This legislation is necessary to comply with federal grant funding application requirements as part of the 2018-2022 Consolidated Plan in accordance with 24 CFR 91.105(b)(3) on Citizen Participation requirements.

C. This legislation adopting the Annual Action Plan is a routine part of implementing the City's intent to fund specific projects in 2020 using federal grant allocations and the Plan serves as the application to HUD for these purposes.

D. Up to \$2,810,400 of proposed 2020 Annual Plan funding is targeted for small business stabilization grants of up to \$10,000 each as necessary to mitigate the impact of the COVID-19 virus outbreak on low- and moderate-income businessowners.

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

Section 3. 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 2019 - 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 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 2020 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) \$9,588,335

HOME Investment Partnership (HOME) \$3,390,613

Housing Opportunities for Persons with AIDS (HOPWA) \$2,929,601

Emergency Solutions Grant (ESG) \$820,644

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 6. Appropriations for the following items in the 2020 Adopted Budget are increased for the funds and Budget Control Levels shown, as follows:

Item	Fund Name and Number	Department	Budget Control Level	Amount
5.1	16200 Human Services Fund	Human Services Department	BO-HS-H1000 Supporting Affordability and Livability	\$29,679
5.2	16200 Human Services Fund	Human Services Department	BO-HS-H3000 Addressing Homelessness	\$500,270
5.3	16600 - Office of Housing Fund	Executive (Office of Housing)	BO-HU-2000 Homeownership & Sustainability	\$233,408
5.4	16400 - Low income Housing Fund	Executive (Office of Housing)	BO-HU-3000 Multifamily Housing	\$1,602,071
5.5	10200 - Park And Recreation Fund	Seattle Parks and Recreation	BC-PR-40000 Fix It First	\$70,441

Section 7. Appropriations for the following items in the 2020 Adopted Budget are decreased for the funds and Budget Control Levels shown, as follows:

Item	Fund Name and Number	Department	Budget Control Level	Amount
6.1	16600 - Office of Housing Fund	Executive (Office of Housing)	BO-HU-1000 Leadership and Administration	\$9,917

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 2020 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 _____, 2020, and signed by me in open session in authentication of its passage this _____ day of _____, 2020.

President _____ of the City Council

Approved by me this _____ day of _____, 2020.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2020.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - City of Seattle 2020 Annual Action Plan for Federal Grants