



CITY OF SEATTLE

City Council

Agenda

Tuesday, June 13, 2023

2:00 PM

Council Chamber, City Hall
600 4th Avenue
Seattle, WA 98104

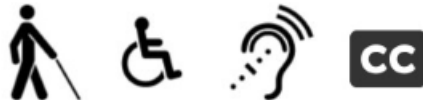
Debora Juarez, Council President
Lisa Herbold, Member
Andrew J. Lewis, Member
Tammy J. Morales, Member
Teresa Mosqueda, Member
Sara Nelson, Member
Alex Pedersen, Member
Kshama Sawant, Member
Dan Strauss, Member

Chair Info: 206-684-8805; Debora.Juarez@seattle.gov

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CITY OF SEATTLE

City Council Agenda

June 13, 2023 - 2:00 PM

Meeting Location:

Council Chamber, City Hall, 600 4th Avenue, Seattle, WA 98104

Committee Website:

<http://www.seattle.gov/council>

Members of the public may register for remote or in-person Public Comment to address the Council. Details on how to provide Public Comment are listed below:

Remote Public Comment - Register online to speak during the Public Comment period at <http://www.seattle.gov/council/committees/public-comment>. Online registration to speak will begin two hours before the meeting start time, and registration will end at the conclusion of the Public Comment period during the meeting. Speakers must be registered in order to be recognized by the Chair.

In-Person Public Comment - Register to speak on the Public Comment sign-up sheet located inside Council Chambers at least 15 minutes prior to the meeting start time. Registration will end at the conclusion of the Public Comment period during the meeting. Speakers must be registered in order to be recognized by the Chair.

Submit written comments to all Councilmembers at Council@seattle.gov

A. CALL TO ORDER

B. ROLL CALL

C. PRESENTATIONS

D. PUBLIC COMMENT

Members of the public may sign up to address the Council for up to 2 minutes on matters on this agenda; total time allotted to public comment at this meeting is 20 minutes.

E. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR:

Introduction and referral to Council committees of Council Bills (CB), Resolutions (Res), Appointments (Appt), and Clerk Files (CF) for committee recommendation.

[IRC 397](#)

June 13, 2023

Attachments: [Introduction and Referral](#)

F. APPROVAL OF THE AGENDA**G. APPROVAL OF CONSENT CALENDAR**

The Consent Calendar consists of routine items. A Councilmember may request that an item be removed from the Consent Calendar and placed on the regular agenda.

Journal:

1. [Min 431](#) June 6, 2023

Attachments: [Minutes](#)

Bills:

2. [CB 120593](#) AN ORDINANCE appropriating money to pay certain claims for the week of May 29, 2023 through June 02, 2023 and ordering the payment thereof; and ratifying and confirming certain prior acts.

H. COMMITTEE REPORTS

Discussion and vote on Council Bills (CB), Resolutions (Res), Appointments (Appt), and Clerk Files (CF).

CITY COUNCIL:

1. [CB 120588](#) AN ORDINANCE relating to land use and zoning; adopting a moratorium on the filing, acceptance, processing, and/or approval of applications for the replacement of floating on-water residences that are vessels as defined by Section 23.60A.942 of the Seattle Municipal Code; adopting a work plan; and ratifying and confirming certain prior acts.

Attachments: [Att A – SDCI SMP Moratorium Work Plan](#)

Supporting

Documents: [Summary and Fiscal Note](#)
[Summary Att 1 - Photos](#)

SELECT COMMITTEE ON 2023 HOUSING LEVY:

2. [CB 120584](#) AN ORDINANCE relating to low-income housing; requesting that a special election be held concurrent with the November 7, 2023 general election for submission to the qualified electors of the City of a proposition to lift the limit on regular property taxes under chapter 84.55 RCW in order to authorize the City to levy additional taxes for low-income housing for up to seven years; providing for interim financing pending tax receipts; creating a levy oversight committee; requiring annual progress reports; providing for implementation of programs with funds derived from the taxes authorized; exempting certain seniors, veterans with disabilities, and other people with disabilities who qualify under RCW 84.36.381; and ratifying and confirming certain prior acts.

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 8 - Mosqueda, Herbold, Lewis, Morales, Nelson, Pedersen, Sawant, Strauss

Opposed: None

Attachments: [Att A - 2023 Housing Levy Programs](#)
[Att B - 2023 Housing Levy Community Engagement Report](#)

Supporting

Documents: [Summary and Fiscal Note](#)

3. [Res 32093](#) A RESOLUTION relating to low-income housing; accompanying an ordinance requesting the 2023 Housing Levy Renewal and providing further direction regarding reporting and implementation of the programs to be funded by such levy and other housing funds.

The Committee recommends that City Council adopt as amended the Resolution (Res).

In Favor: 8 - Mosqueda, Herbold, Lewis, Morales, Nelson, Pedersen, Sawant, Strauss

Opposed: None

Supporting Documents: [Summary and Fiscal Note](#)

TRANSPORTATION AND SEATTLE PUBLIC UTILITIES COMMITTEE:

4. [CB 120585](#) AN ORDINANCE granting King County Department of Natural Resources and Parks, Wastewater Treatment Division permission to construct, maintain, and operate a transformer and retaining wall at 63rd Avenue Southwest, intersecting with Beach Drive Southwest and Southwest Spokane Street, for an unlimited term; specifying the conditions under which this permit is granted; and providing for the acceptance of the permit and conditions.

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - Pedersen, Herbold, Morales, Sawant

Opposed: None

Supporting Documents: [Summary and Fiscal Note](#)
[Summary Att A - Area Map](#)
[Summary Att B - Annual Fee Assessment Summary](#)

I. ITEMS REMOVED FROM CONSENT CALENDAR

J. ADOPTION OF OTHER RESOLUTIONS

K. OTHER BUSINESS

L. EXECUTIVE SESSIONS*

Executive Session on Pending, Potential, or Actual Litigation
(est. 30 min.)

*Executive Sessions are closed to the public

M. ADJOURNMENT



Legislation Text

File #: IRC 397, Version: 1

June 13, 2023



Introduction and Referral Calendar

List of proposed Council Bills (CB), Resolutions (Res), Appointments (Appt) and Clerk Files (CF) to be introduced and referred to a City Council committee

Record No.	Title	Committee Referral
<u>By: Mosqueda</u>		
1. CB 120593	AN ORDINANCE appropriating money to pay certain claims for the week of May 29, 2023 through June 02, 2023 and ordering the payment thereof; and ratifying and confirming certain prior acts.	City Council
<u>By: Nelson</u>		
2. CB 120594	AN ORDINANCE relating to underground utility districts; authorizing the City Light Department to evaluate the risks presented by overhead facilities on streets and alleys in the First Hill district and to determine, based upon the Department’s engineering standards, whether electric facilities should be undergrounded and whether to dispose of remaining utility poles; and amending Sections 21.68.070, 21.68.090, and 21.68.100 of the Seattle Municipal Code.	Economic Development, Technology, and City Light Committee
<u>By: Pedersen</u>		
3. CB 120601	AN ORDINANCE imposing an excise tax on the sale or exchange of certain capital assets in Seattle; adding a new Chapter 5.66 to the Seattle Municipal Code; and adding a new Section 5.45.050 to the Seattle Municipal Code.	Finance and Housing Committee
<u>By: Pedersen</u>		
4. CB 120602	AN ORDINANCE repealing the tax on gross income derived from the business of selling or furnishing water for hire to customers; amending Sections 5.48.050 and 5.48.060 of the Seattle Municipal Code.	Finance and Housing Committee
<u>By: Juarez</u>		
5. Appt 02578	Appointment of David A. Perez as member, Seattle Ethics and Elections Commission, for a term to December 31, 2023.	Governance, Native Communities, and Tribal Governments Committee

By: Juarez

6. [Appt 02579](#) Appointment of Charlene MacMillan as member, Civil Service Commission, for a term to December 31, 2024. Governance, Native Communities, and Tribal Governments Committee

By: Pedersen

7. [CB 120595](#) AN ORDINANCE relating to the Cedar River Municipal Watershed; amending the Secondary Use Policies, adopted by Ordinance 114632, to provide for the limited application of the herbicide imazapyr to treat invasive knotweed species; and ratifying and confirming certain prior acts. Transportation and Seattle Public Utilities

By: Pedersen

8. [CB 120596](#) AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to enter into an Agreement with the Washington State Department of Transportation (WSDOT) to accept and expend funds provided by WSDOT to implement the design and construction of certain recreational improvements as mitigation measures for the recreational impacts of the Portage Bay Bridge Roanoke Lid portion of the SR 520, I-5 to Medina: Bridge Replacement and HOV Project; amending Ordinance 126725, which adopted the 2023 Budget, changing appropriations to various departments and budget control levels, and from various funds in the Budget. Transportation and Seattle Public Utilities

By: Pedersen

9. [CB 120597](#) AN ORDINANCE relating to the Department of Finance and Administrative Services; authorizing the Director of Finance and Administrative Services or the Director's designee to grant limited property and access rights to the State of Washington over and under a portion of real property known as Fire Station 22; and accepting payment of the mutually agreed upon value of the property and access rights sold; and ratifying and confirming certain prior acts. Transportation and Seattle Public Utilities

By: Pedersen

10. [CB 120598](#) AN ORDINANCE relating to Seattle Public Utilities; authorizing the General Manager and Chief Executive Officer of Seattle Public Utilities, or designee, to execute an agreement between Seattle Public Utilities and the Central Puget Sound Regional Transit Authority for the ownership, operation and maintenance of stormwater facilities located at 136 NE 115th Street, in Seattle; and ratifying and confirming certain prior acts. Transportation and Seattle Public Utilities

By: Pedersen

11. [CB 120599](#) AN ORDINANCE extending the duration of the block-the-box and transit-only lane camera enforcement programs; amending Ordinance 126183; declaring an emergency; and establishing an immediate effective date; all by a 3/4 vote of the City Council.
- Transportation and
Seattle Public
Utilities

By: Herbold, Pedersen

12. [CB 120600](#) AN ORDINANCE establishing additional uses for automated traffic safety cameras and designating restricted racing zones; amending Section 11.50.570 of the Seattle Municipal Code; and adding a new Section 11.50.580 to the Seattle Municipal Code.
- Transportation and
Seattle Public
Utilities



Legislation Text

File #: Min 431, **Version:** 1

June 6, 2023

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Tuesday, June 6, 2023

2:00 PM

Council Chamber, City Hall

600 4th Avenue

Seattle, WA 98104

City Council

Debora Juarez, Council President

Lisa Herbold, Member

Andrew J. Lewis, Member

Tammy J. Morales, Member

Teresa Mosqueda, Member

Sara Nelson, Member

Alex Pedersen, Member

Kshama Sawant, Member

Dan Strauss, Member

Chair Info: 206-684-8805; Debora.Juarez@seattle.gov

A. CALL TO ORDER

The City Council of The City of Seattle met in the Council Chamber in Seattle, Washington, on June 6, 2023, pursuant to the provisions of the City Charter. The meeting was called to order at 2:06 p.m., with Council President Juarez presiding.

B. ROLL CALL

Present: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

C. PRESENTATIONS

There were none.

D. PUBLIC COMMENT

By unanimous consent, the Council Rules were suspended to provide a 60 minute Public Comment period.

The following individuals addressed the Council:

Kate Rubin
Howard Gale
BJ Last
Kody Zalewski
Zachary Kirshbaum
Sara Robbins
Ben Sercombe
Michael Mellini
Tatiana Quintana
Taylor Riley
Aedan McCall
Randy Bannecker
Alice Lockhart
Jodie Nathan
Alex Fay
Camille Gix
David Haines
Joey Smith
Julia Buck
Kylie Rolf
Bradley Dosch
Linnea May
Rachel Rourke
Drew Batchelor
Mariam Hale
Jess Wallach
Katie Jendrey
Eileen McCann
Anita Khandelwal
Malika Lamont
Deaunte Damper
Tony Radovich
Rev. Harriet Walden
Jesus H. Christ
Colin J. Lamb
Emily Greenberg
Adam Kendall
Alison Eisinger

Ray Armstrong
Rachel Scott
Teresa Lamb
Amber Casey
Jade Weise
George Aztem
Mary Paterson
Carra Wetzel Chubb
Ash woods
Alexander Schreiber-Heinz
Angelica Chzaio
Jody Rauch
E. Bailey Metilo
Josie Tracy
Gabriel de los Angeles
Jon Grant
Isaac Miller
Mike Asai
Michael Wilmarth
Lilly Hayward
Howard Greenwich
Erika Rusher
Courteney Wettermann
Aidan Carroll
Reed Olsen
Kevin Vitz-Wong
Griffin Bird
Jordan Vestal
Joe Kunzler
Peter Condit
Matt Offenbacker
Annet Klapstein
Zoe Fanning
Christian Wise
Molly Gilbert
Austin Field
Marguerite Richard
Preston Sahabu
Elan Dustillos
Victoria Palmer
Ly Huynh

At 3:52 p.m., the City Council recessed until 3:57 p.m.

At 3:57 p.m., the City Council came back to order.

Present: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Sawant, Strauss

Late Arrival: 1 - Pedersen

By unanimous consent, the Council Rules were suspended to extend the Public Comment period to allow the remaining speakers to address the Council.

The following individuals addressed the Council:

Baela

Councilmember Pedersen joined the meeting at 4:01 p.m.

Meagan Murphy
Andrew Ashiofu
Renaissance Michael Moynihan
Brandon Davis
Katelyn Mullikin
Tye Reed
Naquel Walker
Henry Keene
Liletha
Jenna
Eva Owens
Monty Anderson

E. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR:

[IRC 396](#)

June 6, 2023

Motion was made, duly seconded and carried, to adopt the Introduction & Referral Calendar (IRC) by the following vote:

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

F. APPROVAL OF THE AGENDA

Motion was made, duly seconded and carried, to adopt the proposed Agenda.

G. APPROVAL OF CONSENT CALENDAR

Motion was made, duly seconded and carried, to adopt the Consent Calendar.

Journal:**1. [Min 430](#) May 30, 2023**

The item was adopted on the Consent Calendar by the following vote, and the President signed the Minutes:(Min):

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

Bills:**2. [CB 120589](#) AN ORDINANCE appropriating money to pay certain claims for the week of May 22, 2023 through May 26, 2023 and ordering the payment thereof; and ratifying and confirming certain prior acts.**

The item was passed on the Consent Calendar by the following vote, and the President signed the Council Bill:

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

Appointments:**SUSTAINABILITY AND RENTERS' RIGHTS COMMITTEE:**

- 3. [Appt 02576](#) **Appointment of Kate Rubin as member, Seattle Renters' Commission, for a term to February 28, 2025.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Sawant, Lewis, Morales

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

- 4. [Appt 02577](#) **Appointment of Julissa Sanchez as member, Seattle Renters' Commission, for a term to February 28, 2025.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Sawant, Lewis, Morales

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

H. COMMITTEE REPORTS

CITY COUNCIL:

1. [CB 120586](#) **AN ORDINANCE relating to controlled substances; adding the crimes of possession of a controlled substance and use of a controlled substance in a public place; and amending Section 12A.09.020 of the Seattle Municipal Code.**

ACTION 1:

Motion was made by Councilmember Juarez and duly seconded, to pass Council Bill 120586.

ACTION 2:

Motion was made by Councilmember Strauss, duly seconded and carried, to amend Council Bill 120586, by adding a new 6th recital as shown in the underlined language below:

WHEREAS, 2E2SSB 5536 amends RCW 69.50.4013 to state that “[t]he prosecutor is encouraged to divert such cases for assessment, treatment, or other services;” and that “[i]n lieu of jail booking and referral to the prosecutor, law enforcement is encouraged to offer a referral to assessment and services available under RCW 10.31.110 or other program or entity responsible for receiving referrals in lieu of legal system involvement, which may include, but are not limited to, arrest and jail alternative programs established under RCW 36.28A.450, law enforcement assisted diversion programs established under RCW 8 71.24.589, and the recovery navigator program established under RCW 9 71.24.115;” and

ACTION 3:

Motion was made and duly seconded to pass Council Bill 120586 as amended.

The Motion failed, and the Bill did not pass by the following vote:

In Favor: 4 - Juarez, Nelson, Pedersen, Strauss

Opposed: 5 - Herbold, Lewis, Morales, Mosqueda, Sawant

I. ITEMS REMOVED FROM CONSENT CALENDAR

There were none.

J. ADOPTION OF OTHER RESOLUTIONS

There were none.

K. OTHER BUSINESS

There was none.

L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 5:53 p.m.

Jodee Schwinn, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on June 13, 2023.

Debora Juarez, Council President of the City Council

Anne Frantilla, Interim City Clerk



Legislation Text

File #: CB 120593, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE appropriating money to pay certain claims for the week of May 29, 2023 through June 02, 2023 and ordering the payment thereof; and ratifying and confirming certain prior acts.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Payment of the sum of \$16,141,961.92 on PeopleSoft 9.2 mechanical warrants numbered 4100690515 - 4100692032 plus manual or cancellation issues for claims, e-payables of \$56,172.65 on PeopleSoft 9.2 9100013425 - 9100013445 and electronic financial transactions (EFT) in the amount of \$77,229,869.55 are presented to the City Council under RCW 42.24.180 and approved consistent with remaining appropriations in the current Budget as amended.

Section 2. RCW 35.32A.090(1) states, “There shall be no orders, authorizations, allowances, contracts or payments made or attempted to be made in excess of the expenditure allowances authorized in the final budget as adopted or modified as provided in this chapter, and any such attempted excess expenditure shall be void and shall never be the foundation of a claim against the city.”

Section 3. Any act consistent with the authority of this ordinance taken prior to its effective date is ratified and confirmed.

Section 4. 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 13th day of June, 2023, and signed by me in open session in authentication of its passage this 13th day of June, 2023.

President _____ of the City Council

Approved / returned unsigned / vetoed this ____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Anne Frantilla, Interim City Clerk

(Seal)



Legislation Text

File #: CB 120588, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to land use and zoning; adopting a moratorium on the filing, acceptance, processing, and/or approval of applications for the replacement of floating on-water residences that are vessels as defined by Section 23.60A.942 of the Seattle Municipal Code; adopting a work plan; and ratifying and confirming certain prior acts.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City Council finds and declares:

A. RCW 90.58.270(6) was amended by Chapter 148, Laws of 2021 to expand the definition of “floating on-water residence” (FOWR) to include vessels. This new definition allows owners of vessels legally established prior to July 1, 2014, and that meet the criteria in RCW 90.58.270(6), to seek floating on-water residence verification. The current Shoreline Master Program defines floating on-water residences as floating structures and has specific standards for their replacement. If a vessel applies and receives FOWR verification, the current Shoreline Master Program does not have standards specific to FOWR vessels that would prevent a FOWR vessel from being replaced with a larger floating structure that was no longer a vessel and would otherwise not be allowed. These larger floating structures have greater impacts on the aquatic environment because of increased overwater coverage. Additionally, an increase in gray water pollution can be expected because of the larger size and the change to a permanent residential use over water.

B. A temporary moratorium is necessary to allow the City to amend the Shoreline Master Program development standards for the replacement of vessels that have been verified as floating on-water residences; and a work plan has been developed to include the timeline and tasks for the amendments to the Shoreline

Master Program. This work plan is included as Attachment A to this ordinance.

C. Revised Code of Washington (RCW) 90.58.590 authorizes the City to adopt a moratorium while amending its shoreline regulations. A moratorium may be effective for up to six months and may be renewed for two additional six-month periods.

D. Under Seattle Municipal Code (SMC) Section 25.05.800, the Council finds that this moratorium is a government procedural action categorically exempt from State Environmental Protection Act (SEPA) review. SEPA review of any permanent regulations modifying existing regulations will be conducted according to the work plan in Attachment A to this ordinance.

Section 2. The Council adopts a moratorium on the filing, acceptance, processing, and/or approval of any application for the replacement of a vessel as defined by SMC 23.60A.942 that has been verified as a floating on-water residence per SMC 23.60A.203.

Section 3. The moratorium set forth in this ordinance shall be in effect for a period of six-months from the effective date of this ordinance and shall automatically expire after the six-month period unless renewed as provided by RCW 90.58.590 or terminated sooner by the Council.

Section 4. Pursuant to RCW 90.58.590, the Council will hold a public hearing within 60 days of adoption of this moratorium to take public testimony and consider adopting further findings. The Department of Ecology will be notified when the moratorium is adopted and of the date of the public hearing,

Section 5. Under RCW 90.58.590, the Council approves the work plan in Attachment A for the development of regulations to address the issues in this ordinance.

Section 6. Based on the authority of RCW 90.58.590 and the findings in Section 1 of this ordinance, SMC 23.76.062 is waived for the adoption of this ordinance.

Section 7. The City Council may renew the moratorium for one or more six-month periods in accordance with state law.

Section 8. 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 the invalidity of its application to any person or circumstance, does not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

Section 9. Any act relating to the filing, acceptance, processing, and/or approval of permits and permit applications consistent with the authority of this ordinance taken after its passage and prior to its effective date is 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 returned and approved 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 _____, 2023, and signed by me in open session in authentication of its passage this _____ day of _____, 2023.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

_____, City Clerk

(Seal)

Attachments:
Attachment A - SDCI Moratorium Work Plan

SDCI WORK PLAN		
SMP Floating on-water residence Vessel Ordinance		
Amend the Shoreline Master Program to include standards for the replacement of vessels as defined by SMC 23.60A that have been verified as floating on-water residences as allowed by the state legislature in SB 6027 that became effective July 25, 2021		
Timeline	Tasks	
Project Management		
06/2023 –12/2024	Develop scope of work and timeline for SMP amendments; public participation plan; draft regulations; SEPA analysis and decision; MO and City Council approval; Department of Ecology approval	
06/2023	Develop Public Participation Plan	
Public Outreach		
07/2023 – 10/2023	<ul style="list-style-type: none"> • Website • E-mail to Shoreline Listserv • Targeted outreach • LULA • Floating Home Association • Ecology and DNR 	
Draft SMP Amendments and Director’s Report		
07/2023 – 10/2023	<ul style="list-style-type: none"> • Draft legislation • Draft Director’s Report 	
Update Comp Plan Policies if needed		
10/2023		
SDCI Director Review		
10/2/2023 – 10/16/2023	SDCI Director Review	
Law and Mayor’s Office Review		
10/20/2023 – 11/17/2023	Law review	
12/1/2024	Mayor approval for SEPA and Law’s final review	
SEPA		
12/7/2024	SEPA Decision	
12/21/2024	SEPA Appeal period ends	
Ecology and SDCI Joint Comment Period and Public Hearing		
12/7/2024 – 02/07/2024	30-day comment period and 30-day period to respond to comments	
Ecology Initial Submittal and Review		

02/12/2024 – 03/13/2024	30-day review
Legistar	
03/22/2024	Ordinance, Fiscal Note and Director’s Report sent to Law, CBO, and MO for final review.
City Council Review and Action	
04/22/2024	Legislation transmitted from Mayor’s Office to City Council
05/2024 – 7/2024	<ul style="list-style-type: none"> • Land Use Committee Briefing • Public Hearing – Joint hearing with Department of Ecology • Land Use Committee Vote • Full Council Vote
Department of Ecology Final Review and Approval	
08/01/2024	Send legislation to Department of Ecology
08/01/2024 – 10/01/2024	Department of Ecology’s Review and Approval
08/2024	Send Commerce 60 Days Notice of Intent to Adopt
City Council Action on Ecology’s Final Approved Regulations	
09/2024 – 10/2024	City Council adoption of Ecology’s approved regulations
10/2024	Publish Notice of Adoption in paper

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact:	CBO Contact:
SDCI	Margaret Glowacki	Christie Parker

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to land use and zoning; adopting a moratorium on the filing, acceptance, processing, and/or approval of applications for the replacement of floating on-water residences that are vessels as defined by Section 23.60A.942 of the Seattle Municipal Code; adopting a work plan; and ratifying and confirming certain prior acts.

Summary and Background of the Legislation:

As a result of amendments to state law effective July 2021 (Senate Bill 6027) that included vessels as floating on-water residences (FOWRs), the Seattle Department of Construction and Inspections (SDCI) is now required to accept applications for vessels (such as sailboats and yachts) to be verified as FOWRs.

Summary Attachment 1 displays pictures of vessels and FOWRs. FOWRs are different than floating homes, they are a separate category of floating residences created in 2014 by state legislation. To qualify as a FOWR, the residence must have existed and been used as a residence since a date prior to July 1, 2014.

The stated intent of the 2014 state legislation was to preserve the existence and vitality of current, floating on-water residential uses; nevertheless, the number of FOWRs has increased. In 2014 it was estimated that there were 113 FOWRs within Seattle city limits; as of January 2022, SDCI has verified 222 FOWRs.

SDCI's existing Shoreline Master Program (SMP) regulations currently limit FOWRs to floating structures with specific standards for their replacement. If a vessel applies and receives FOWR verification, the SMP does not have standards specific to this new category of FOWRs (FOWR vessels) that would prevent these vessels from being replaced with a larger floating structure that is no longer a vessel and would otherwise not be allowed. These larger floating structures have greater impacts on the aquatic environment because of increased over-water coverage. Additionally, an increase in gray water pollution can be expected because of the larger size and the change to a permanent over-water residential use.

This legislation is a temporary moratorium on permit applications for the replacement of this new category of FOWRs, FOWR vessels. The moratorium is effective for six months and may be renewed for up to two six-month periods. The purpose of the moratorium is to provide time to amend the SMP. RCW 90.58.590 authorizes a shoreline moratorium.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

No.

Are there financial costs or other impacts of *not* implementing the legislation?

No financial costs; however, there are other impacts of not implementing this legislation. If vessels (which are a defined water-dependent use by the Shoreline Mater Program) are allowed to become verified floating on-water residences and then are replaced as residential floating structures (which are not a defined water-dependent use per the Shoreline Master Program), the City will not be meeting the goals of the Shoreline Master Program. This moratorium will provide the needed time for SDCI to amend the Shoreline Master Program to include standards for the replacement of any vessel that has been verified as a floating on-water residence.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

No.

b. Is a public hearing required for this legislation?

Yes, there will be a public hearing within 60 days of the adoption of this legislation.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

Yes, a hearing notice is required in the Daily Journal of Commerce and this information will be sent prior to the public hearing.

d. Does this legislation affect a piece of property?

This legislation affects a new category of floating on-water residences, not a piece of land.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

There are no identified impacts to vulnerable or historically disadvantaged communities.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

No.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

No.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?

N/A

Summary Attachments:

Summary Attachment 1 – Photos of vessels and floating on-water residences

Attachment 1 – Summary and Fiscal Note

May 2023

Examples of vessels in Seattle



Examples of floating on-water residences (FOWRs) in Seattle





Legislation Text

File #: CB 120584, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to low-income housing; requesting that a special election be held concurrent with the November 7, 2023 general election for submission to the qualified electors of the City of a proposition to lift the limit on regular property taxes under chapter 84.55 RCW in order to authorize the City to levy additional taxes for low-income housing for up to seven years; providing for interim financing pending tax receipts; creating a levy oversight committee; requiring annual progress reports; providing for implementation of programs with funds derived from the taxes authorized; exempting certain seniors, veterans with disabilities, and other people with disabilities who qualify under RCW 84.36.381; and ratifying and confirming certain prior acts.

WHEREAS, the \$290,000,000 housing levy authorized in Ordinance 125028 and approved by the voters in 2016 expires with the collection of 2023 property taxes; and

WHEREAS, the \$145,000,000 housing levy authorized in Ordinance 123013 was approved by the voters in 2009; and

WHEREAS, the \$86,000,000 housing levy authorized in Ordinance 120823 was approved by the voters in 2002; and

WHEREAS, the \$59,211,000 housing levy authorized in Ordinance 117711 was approved by the voters in 1995; and

WHEREAS, the \$49,975,000 housing levy authorized in Ordinance 112904 was approved by the voters in 1986; and

WHEREAS, the \$48,170,000 low-income elderly and handicapped housing bond issue authorized in Ordinance 110124 was approved by the voters in 1981; and

WHEREAS, the low-income elderly and handicapped housing bond approved in 1981 and four housing levies

approved in 1986, 1995, 2002, and 2009 have all exceeded goals for producing and preserving housing, and the 2016 Housing Levy programs are meeting or exceeding goals for housing production and assistance; and

WHEREAS, according to the Market Rate housing Needs and Supply Analysis commissioned by the Office of Planning and Community Development and conducted by BERK Consulting in 2021, Seattle lacked approximately 29,710 safe, sanitary, and appropriate rental homes affordable to households earning 0-50 percent Area Median Income (AMI); and

WHEREAS, the King County Growth Management Planning Council projects that Seattle will need approximately 112,000 new homes, including roughly 70,726 homes affordable to households with incomes under 80 percent AMI, of which approximately 43,596 must be homes affordable to households under 30 percent AMI, including 15,024 Permanent Supportive Housing (PSH) units, to meet the housing needs of all housed and unhoused residents by 2044; and

WHEREAS, operators of PSH face significant workforce shortages and, according to an internal analysis conducted by the Office of Housing (OH), currently face unfilled jobs openings rates of approximately 20 percent; and

WHEREAS, the United States Department of Housing and Urban Development (HUD) in their Comprehensive Housing Affordability Strategy (CHAS) 2015-2019 estimates found that 87,405 Seattle homeowners and renters had incomes at or below 50 percent AMI and made up 26 percent of all Seattle residents, but that 49 percent of these low-income homeowners and renters were severely cost-burdened paying 50 percent or more of their income on housing costs; and

WHEREAS, the same HUD CHAS data shows that 18 percent of Seattle homeowners and renters who are Black, Indigenous, People of Color, or Multi-Racial are severely housing cost-burdened while 15 percent of the overall population of homeowners and renters in the city are severely cost-burdened; 21 percent of Black homeowners in Seattle are severely cost-burdened as opposed to 10 percent of all

homeowners; and 27 percent of Black and Indigenous renters are severely cost-burdened compared with 19 percent of all renters in Seattle; and

WHEREAS, a worker making Seattle’s \$18.69 minimum wage for large employers would need to work 75.5 hours per week to afford the \$1,881 fair market rent of a one-bedroom apartment in the Seattle-Bellevue HUD Metro Fair Market Rent Area; and

WHEREAS, the King County Regional Homelessness Authority’s 2022 Point in Time Count found 13,368 sheltered and unsheltered people experiencing homelessness in King County; and

WHEREAS, chapter 84.55 RCW generally limits the dollar amount of regular property taxes that a city may levy in any year, but RCW 84.55.050 allows a city to levy taxes exceeding such limit by majority approval of the voters, and allows a city to include in the ballot proposition a limit on the purpose for which the additional taxes levied will be used and to provide for the expiration of the additional taxing authority; and

WHEREAS, RCW 35.21.685 authorizes a city to assist in the development or preservation of publicly or privately owned housing for persons of low income by providing loans or grants of general municipal funds to the owners or developers of the housing, including loans or grants to finance the acquisition, construction, or rehabilitation of low-income housing; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City Council finds and declares:

A. The City of Seattle has insufficient safe, sanitary, and appropriate housing affordable to low-income households to meet the present and anticipated needs of such households, as documented in the Office of Planning and Community Development’s Market Rate Housing Needs and Supply Analysis and projected by the King County Growth Management Planning Council.

B. Affordable rental housing for low-income households, including people experiencing homelessness, persons with special needs, families, and older adults, requires a commitment of City funds for affordable

housing development, preservation, acquisition, operating, and other forms of assistance. More detail on programmatic investments can be found in Attachment A to this ordinance.

C. Permanent Supportive Housing and affordable housing serving extremely low-income households require ongoing investment to supplement rent paid by residents, to support annual operating, maintenance, and services costs, and to provide wage stabilization support for the workers needed to operate, maintain, and provide services for this housing.

D. Home ownership for low-income households prevents displacement, creates financial stability for families, and promotes mixed income neighborhoods. City investment is required to develop new high-quality homes regulated to be permanently affordable to low-income households, provide purchase assistance loans to low-income homebuyers coupled with homeownership education and counseling, provide grants to low-income homeowners to make critical health and safety repairs, and provide foreclosure prevention assistance.

E. Rental assistance combined with stabilization services supports low-income families and individuals to maintain stable housing, avoid eviction, and address homelessness.

F. The City supports short-term acquisition loans for cost-effective purchases of buildings or land for rental or homeownership development, to further expand the supply of affordable housing.

G. Providing funding to help develop, preserve, and finance housing affordable to low-income renters and homebuyers is also anticipated to support on-going employment opportunities, generate income for local businesses, create construction jobs, and advance labor equity goals - as well as identifying projects that will include the use of Community Workforce Agreements, with apprenticeship and priority hire provisions.

H. The additional taxes to be levied under this ordinance would help the City provide for the housing needs of low-income households and so help fulfill the purposes of federal, State, County, and City laws and policies, including without limitation the State Growth Management Act (GMA), the Countywide Planning Policies adopted under GMA, and the City's Comprehensive Plan.

Section 2. As used in this ordinance, unless the context requires otherwise:

"Household" means a single person, a family, or unrelated persons living together.

"Low-income household" means a household with income less than or equal to 80 percent of median income.

"Low-income housing" means housing that will serve low-income households.

"Median income" means annual median family income for the statistical area or division thereof including Seattle for which median family income is published from time to time by the U.S. Department of Housing and Urban Development, or successor agency, with adjustments according to household size in a manner determined by the Director of Housing. If an Administrative and Financial Plan adopted under Section 6 of this ordinance adopts a different definition of "median income," that definition shall apply to both the Plan and the rest of this ordinance instead of this definition.

To the extent permitted by State law, income determinations may take into account such exclusions, adjustments, and rules of computation as may be prescribed or used under federal housing laws, regulations, or policies for purposes of establishing income limits, or as may be established in City planning documents consistent with federal laws, regulations, or policies.

Section 3. The City submits to the qualified electors of the City a proposition as authorized by RCW 84.55.050, to exceed the levy limitation on regular property taxes contained in chapter 84.55 RCW for property taxes levied in 2023 through 2029 for collection in 2024 through 2030, respectively, raising up to \$970,260,175 in aggregate over a period of up to seven years. The proposition shall be limited so that the City shall not levy more than \$138,608,596 in additional taxes each year, in addition to the maximum amount of regular property taxes the City would have been limited to by RCW 84.55.010 in the absence of voter approval under this ordinance. Proceeds shall be used for the purposes specified in subsection 5.A of this ordinance. In accordance with RCW 84.36.381 and RCW 84.55.050, the City exempts the proposed increased regular property taxes for certain seniors, veterans with disabilities, or other persons with disabilities who qualify under RCW 84.36.381. Pursuant to RCW 84.55.050(5), the maximum regular property taxes that may be levied in 2030 for collection

in 2031 and in later years shall be computed as if the limit on regular property taxes had not been increased under this ordinance.

Section 4. Levy revenues

A. Unless otherwise directed by ordinance, all revenues collected from the additional taxes authorized pursuant to this ordinance shall be deposited in the Low-Income Housing Fund to finance housing for low-income households and provide for the housing needs of low-income households, and in the Office of Housing Fund for administrative costs. The Finance Director is authorized to create other accounts within the Low-Income Housing Fund as may be needed or appropriate to implement the purposes of this ordinance.

B. Pending expenditure for the purposes authorized in this ordinance, amounts deposited in the Low-Income Housing Fund pursuant to this ordinance may be invested in any investments permitted by applicable law. All investment earnings on the balances shall be deposited into the Low-Income Housing Fund. Amounts received by the City from payments with respect to proceeds of sale or disposition of property, loans, recovery of grants, or insurance proceeds ("program income") shall be deposited into the Low-Income Housing Fund unless otherwise specified by ordinance. The Director of Housing or designee shall use any investment earnings and program income derived from revenues collected from the additional taxes authorized pursuant to this ordinance consistent with the provisions of any Administrative and Financial Plan (A & F Plan) adopted by the City Council under Section 6 of this ordinance.

Section 5. Administration; use of proceeds

A. Levy funds shall be used to finance affordable housing for low-income households, and otherwise to provide for the housing needs of low-income households, and for related administrative costs.

B. The Office of Housing shall administer programs funded with the additional taxes authorized pursuant to this ordinance, including through agreements with other departments, agencies, and organizations. Programs adopted by the City Council for use of the funds derived under this ordinance shall be referred to as "Levy Programs." Anticipated Levy Programs are shown in Attachment A to this ordinance.

C. The City Council, upon recommendation of the Oversight Committee described in Section 9 of this ordinance, or upon recommendation of the Mayor, or on its own, may review the timing of the allocations to particular Levy Programs and may by ordinance make changes to the programs, including but not limited to affordability levels and the amount of funds allocated to any program and/or additions and deletions of programs, consistent with the basic purposes of this ordinance and applicable law. Administration funding shown in Attachment A to this ordinance is intended to be used for administration of Levy Programs. In addition, administration funding may be used for monitoring performance of funded projects, administration of, or program support for, the Operating and Maintenance Program funding from prior levies, and administration related to the development and preservation of affordable housing.

Section 6. Administrative and Financial Plans

A. Every two years, or at another interval as the City Council may specify, the Director of Housing shall prepare an A & F Plan covering all Levy Programs. Such plans shall cover periods commencing in 2024 and continuing through 2030, and thereafter if the City Council specifies.

B. Unless the City Council otherwise requests, each A & F Plan shall include: amounts allocated to programs, which may vary from year to year in order to respond to changing housing market conditions, leveraging opportunities, or other circumstances; criteria for evaluating and selecting projects; guidelines for loans or grants, including any fees to be collected to defray costs; requirements for project sponsors; progress and performance reports for each Levy Program; program reviews to ensure that levy funds are used for their stated purposes; and guidelines for use of program income and investment earnings. An A & F Plan may include other information as the Mayor or Director of Housing may deem appropriate or the City Council may request.

C. The A & F Plan shall be submitted to the City Council for its approval, with such modifications as the City Council may require. All criteria, guidelines, and requirements contained in a previously approved A & F Plan shall remain in effect pending approval by City Council of a new A & F Plan, unless otherwise provided

by ordinance.

Section 7. The Director of Housing or designee is authorized to:

A. Select projects for funding and to approve, make, and modify loans, grants, or other expenditures to carry out the Levy Programs, provided that such authority is subject to the appropriation of sufficient funds; and

B. Execute and deliver such documents and instruments as the department head or designee determines are necessary or appropriate to implement the financing of specific projects or to otherwise carry out the Levy Programs.

Section 8. To the extent permitted by applicable law, the City may issue bonds, notes, or other evidences of indebtedness payable wholly or in part from the proceeds of the additional taxes authorized under this ordinance, and apply such tax proceeds to the payment of principal of, interest on, and premium (if any) on such bonds, notes or other evidences of indebtedness and to the payment of costs associated with them.

Section 9. Oversight Committee

A. Conditioned upon voter approval of the ballot proposition submitted by this ordinance, there is established an Oversight Committee for the purpose of monitoring the progress of Levy Programs and reporting to the Mayor and the City Council on the progress of Levy Programs. The Committee also shall perform monitoring and reporting functions for any funds remaining from the 2016 Housing Levy. The Committee shall inform the Mayor and the City Council of Levy Program accomplishments and challenges and make recommendations on the A & F Plan and on actions to be taken, including additions to or deletions of programs or amounts of funds allocated to the several programs, so that Levy Programs may be conducted in a timely and efficient manner. The Committee may elect officers and establish rules of procedure, including what shall constitute a quorum. The Director of Housing shall provide the Committee such information as is necessary for the Committee to determine the status of individual programs and projects. The Oversight Committee shall consist of 13 voting members, selected as follows: one shall be a City employee appointed by the Mayor or

designee; one shall be a City employee appointed by the City Council; the remainder shall be persons outside City government, of whom six shall be appointed by the Mayor and five by the City Council. The appointing authority shall remove any member who is absent from two or more consecutive meetings without cause. The appointing authority may remove any member for cause or to ensure compliance with subsection 9.B of this ordinance.

B. No more than three Committee members appointed by the Mayor and no more than two Committee members appointed by the City Council shall: be an officer, director, board member, trustee, partner, or employee of an entity that receives or competes for funding under this ordinance; or be a member of the immediate family of, or an individual residing with, an officer, director, board member, trustee, partner, or employee of an entity that receives or competes for funding under this ordinance; or be a person seeking or having an arrangement concerning future employment with an entity that receives or competes for funding under this ordinance. For the purposes of this ordinance, an individual's "immediate family" means the individual's spouse, domestic partner, child, child of a spouse or domestic partner, sibling-in-law, parent, parent of a spouse or domestic partner, a person for whom the individual acts as a guardian, or a person claimed as a dependent on the individual's most recent federal income tax return. Subject to the preceding sentence and applicable law, an individual serving as an officer, director, board member, trustee, partner, or employee of an entity that receives or competes for funding under this ordinance, or who has an interest in such an entity, shall not thereby be disqualified from serving on the Committee, but shall fully disclose any such relationships and shall not vote on any matter in which the interest of such entity is directly involved. For purposes of this subsection 9.B, "entity" does not include a City department or office.

C. The City Council shall prescribe by ordinance or resolution the terms of office of Committee members, which may be staggered to provide continuity, and the initial committee members shall be selected within six months after voter approval of the proposition submitted by this ordinance. The City Council may prescribe such other rules relating to the operation of the Committee as shall be necessary or appropriate.

D. Upon the resignation, retirement, death, incapacity, or removal of a Committee member, the authority who appointed that member may appoint a replacement for the balance of the term.

E. Committee members shall serve without compensation.

F. The Oversight Committee shall continue in existence through 2030, and thereafter if so provided by ordinance.

Section 10. The Director of the Office of Housing will prepare and submit to the Oversight Committee, City Council, and the Mayor an annual progress report on the implementation of the Housing Levy.

Section 11. The City Council directs that the City Clerk file this ordinance with the King County Director of Elections, as ex officio supervisor of elections, requesting that the Director call and conduct a special election in the City in conjunction with the general election to be held on November 7, 2023, for the purpose of submitting to the qualified electors of the City the proposition set forth in this ordinance. The City Clerk is directed to certify to the King County Director of Elections the ballot title approved by the City Attorney in accordance with the City Attorney's responsibilities under RCW 29A.36.071. The following ballot title is submitted to the City Attorney for consideration:

Proposition No. 1

Property Tax Levy Renewal for Affordable Housing

The Mayor and Seattle City Council passed Ordinance **XXXX**, concerning renewal of the Seattle Housing Levy.

If approved, this proposition would replace the expiring Seattle Housing Levy and fund housing and housing services for low-income households, including seniors, working families, people with disabilities, and people experiencing homelessness.

It authorizes a seven-year property tax increase for collection beginning in 2024 at approximately \$0.45/\$1,000 in assessed value, up to a maximum \$3.60/\$1,000. The 2024 regular levy amount would be used to compute limitations for 2025-2030 levies. Seniors, veterans, and others qualified under RCW 84.36.381 are

exempt.

Should this proposition be approved?

Yes

No

Those in favor shall vote “Yes”; those opposed shall mark their ballots “No”.

Section 12. Section titles are for convenient reference only and do not modify or limit the text of a section.

Section 13. 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 the invalidity of its application to any person or circumstance, does not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances, including the validity of authorizing additional taxes by levy.

Section 14. Any act consistent with the authority of this ordinance taken after its passage and prior to its effective date is ratified and confirmed.

Section 15. Those portions of this ordinance providing for the submission of a ballot proposition to the voters 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. Those portions of this ordinance that are dependent upon voter approval of said ballot proposition shall take effect in accordance with applicable law.

Passed by the City Council the _____ day of _____, 2023, and signed by
me in open session in authentication of its passage this _____ day of _____, 2023.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Anne Frantilla, Interim City Clerk

(Seal)

Attachments:

Attachment A - 2023 Housing Levy Programs

Attachment B - 2023 Seattle Housing Levy Community Engagement Report

Attachment A 2023 Housing Levy Programs

PROGRAM	TOTAL FUNDING (7 Years)	ESTIMATED HOUSING PRODUCED/ HOUSHOLDS ASSISTED	POPULATION AND AFFORDABILITY LEVELS
Rental Production and Preservation	\$707,270,379	3,516	<ul style="list-style-type: none"> • Families and individuals with incomes at or below 60% AMI. • At least 60% of the sum of Rental Production and OMS program funds support housing with rents affordable to individuals and families at or below 30% AMI.
Operating, Maintenance, and Services (OMS) & OMS Stabilization	\$122,300,000	1,156	OMS support supplements rent paid by residents at or below 30% AMI
Homeownership	\$50,689,796	367	Current and prospective homeowner households at or below 80% AMI
Prevention and Housing Stabilization	\$30,000,000	4,500	Assistance for individuals and families at or below 50% AMI
Acquisition and Preservation	Up to \$30,000,000 <i>No additional funding; Short-term loans will be made using Levy funds not yet reserved through other Levy programs.</i>		Rental or homeownership housing that will serve households at or below 80% AMI
Program Administration	\$60,000,000	N/A	Program support staff and related costs
Total	\$970,260,175	9,539	

PROGRAM DESCRIPTIONS

Rental Production and Preservation

- New construction of rental housing for low-income households, including people with disabilities, older adults, homeless individuals and families, low-wage working people, and families with children.
- Reinvestment in existing affordable housing to make critical capital improvements.
- Rehabilitation of existing multi-family housing with affordability requirements imposed.
- Acquisition of affordable subsidized and market-rate buildings for long-term affordable rental housing.

Operating, Maintenance, and Services (OMS) & OMS Stabilization

- Operating support for Levy-funded buildings, supplementing rent paid by residents, including formerly homeless and other residents with supportive service needs.
- Wage stabilization support for supportive housing workers serving residents who have experienced homelessness and who are living with extremely low incomes.

Homeownership

- Development of new, high-quality, permanently affordable homes.
- Emergency home repair grants to assist with maintaining stable housing.
- Foreclosure prevention assistance for homeowners who are at risk of losing their homes through foreclosure.
- Assistance to eligible home buyers through home purchase loans.
- Acquisition of affordable subsidized and market-rate rental buildings for the creation of homeownership opportunities.

Prevention and Housing Stabilization

- Rent assistance and stabilization services for low-income individuals and families to prevent eviction, support housing stability, and address homelessness.

Acquisition and Preservation

- Short-term acquisition loans for cost-effective purchases of buildings or land for rental or homeownership development. This program will prioritize the acquisition of occupied buildings.

Administration

- Program support staff and related costs
- Support the costs associated with maintaining land that is in city-possession prior to development.
- Fund predevelopment/consultant costs related to determining suitability of sites (city owned, publicly owned, etc.) and preparing sites for affordable housing development.

2023 Seattle Housing Levy Community Engagement Report

Summary of community engagement conducted by the Office of Housing from February 2022 to January 2023, to inform 2023 Seattle Housing Levy proposal

The Office of Housing completed stakeholder and public engagement efforts between February 2022 and January 2023 to inform analysis and recommendations to the Executive, in the development of a proposal to renew the Housing Levy. During that time, Office of Housing staff engaged with staff and members of the public representing 49 organizations. Organizations represented in this engagement include non-profit affordable housing and service providers, for-profit developers, private funders, community-based organizations, housing and homelessness advocacy organizations, academic institutions, and government agencies. The Office of Housing hired consultant Sarah Rajski to support staff in the planning and facilitation of these stakeholder engagement efforts, including meetings of the Housing Levy Leadership Group, focus groups, and Housing Levy Technical Advisory Committee.

Initial Stakeholder Engagement: February – July 2022

Between February and July 2022, Office of Housing staff convened meetings with representatives from various affordable housing and partner agencies to understand the greatest needs and challenges currently faced by organizations that provide affordable housing. Below is a description of each of the groups that were convened, along with their meeting dates.

An overall summary of the feedback collected during this initial stakeholder engagement period is as follows:

- **Significant increase in resources** is needed to meet community needs across the entire affordable housing ecosystem
- **Costs of new development** have increased and **long-term maintenance needs** of existing City-funded affordable housing need to be addressed
- There are needs and opportunities for **targeted equity investments and support** for organizations rooted in BIPOC communities
- Both **workers and residents of affordable housing need more support** to sustain and maintain buildings, and to grow over time

Following this initial period of stakeholder engagement, Office of Housing staff synthesized and analyzed all feedback collected. This feedback—along with extensive data analysis of current housing needs, average development costs for current affordable housing projects, and projected availability of other sources of funding and leverage—informed the development of an Initial Proposal to Renew the Housing Levy, which would be reviewed and further refined by the Technical Advisory Committee (TAC). This Initial Proposal, along with all subsequent proposals considered by the TAC, may be viewed on the Office of Housing’s website (<https://seattle.gov/housing/levy>).

Housing Levy Leadership Group

The Housing Levy Leadership Group was the first group convened to discuss renewing the Housing Levy and consisted of leaders in Seattle and King County’s affordable housing sector, including representatives from King County, the Seattle Housing Authority (SHA), affordable housing providers, funders, and other local housing and homelessness policy experts. 15 organizations (17 participants) were represented in this leadership group.

Meeting dates:

February 18, 2022

March 25, 2022

June 17, 2022

Homeownership Focus Group

The Homeownership Focus Group consisted of representatives from organizations that currently develop (or are pursuing development of) permanently affordable for-sale homes, or that provide financial support and other services to low-income homeowners and homebuyers. 14 organizations (18 participants) were represented in this focus group.

Meeting dates:

April 28, 2022

June 8, 2022

Rental Housing Focus Group

The Rental Housing Focus Group included representatives from organizations that develop, own, and operate affordable rental housing, including permanent housing with supports and other low-income housing, as well as stakeholders from Seattle Housing Authority, King County, funders, and other local housing and homelessness policy experts. 16 organizations (21 participants) were represented in this focus group.

Meeting date:

June 2, 2022

Equity Focus Group

The Equity Focus Group consisted of representatives from organizations rooted in Black, Indigenous, and People of Color (BIPOC) communities, including those that currently develop, own, and operate affordable housing, as well as those organizations that are interested in embarking on affordable housing development, ownership, and operations. 15 organizations (16 participants) were represented in this focus group.

Meeting dates:

May 16, 2022

July 11, 2022

Housing Levy Oversight Committee

The Housing Levy Oversight Committee is a 13-member committee whose purpose is to monitor the progress of Housing Levy programs, provide input on funding policies, and oversee annual reporting to the Mayor, City Council, and the public. Members include one City employee appointed by the Mayor, one City employee appointed by the City Council, six community members appointed by the Mayor, and five community members appointed by City Council

Meeting dates:

April 18, 2022

June 28, 2022

Technical Advisory Committee (TAC), Open House Events, and Public Comment Period: October 2022 – January 2023

The Housing Levy Technical Advisory Committee (TAC) was convened from October to December 2022, with its purpose being to bring technical and subject matter expertise to analysis and discussion of different investment and programmatic options for the Housing Levy. Notices for public meetings of the TAC were placed in the Daily Journal of Commerce, the City of Seattle’s Boards and Commissions calendar, and Office of Housing communications channels, including the Office of Housing website and messages to all e-mail subscribers. All agendas and meeting materials for public TAC meetings may be viewed on the Office of Housing’s website (<https://seattle.gov/housing/levy>).

Members of the public were invited to share feedback on OH’s Initial and Revised Housing Levy Proposals during a public comment period from October 26, 2022 – January 13, 2023 (80 days). Public comments were accepted through in-person testimony at TAC meetings and written comments received via e-mail. Office of Housing staff also organized three Open House events during this period, at which members of the public were invited to learn more about the Housing Levy and share feedback. 38 formal public comments were received during the public comment period, and a summary of public comments received can be found in the Appendix.

Proposal Revision Process

As stated above, feedback collected during the initial stakeholder engagement period (February to July 2022) informed the development of the Initial Proposal to renew the Housing Levy. Staff presented this Initial Proposal to TAC members at the first public TAC meeting on October 28, 2022. All TAC and public comments collected on the Initial Proposal were reviewed and analyzed in the development of the Revised Proposal, presented at the second TAC meeting on November 18, 2022. Similarly, all TAC and public comments collected on the Revised Proposal informed the development of three hypothetical funding scenarios presented to TAC members for discussion on December 16, 2022. Finally, all TAC feedback collected over the course of the three public TAC meetings, along with public comments received during the 80-day public comment period, was synthesized to inform the Office of Housing’s final analysis and recommendations to the Executive.

A summary of the most-frequently received feedback collected during this proposal revision process is as follows:

- **Support for larger Housing Levy size** to meet rising needs
- **Support for increased investments across the entire spectrum** of affordable housing needs, including:
 - Operations, Maintenance, and Services (OMS), including workforce stabilization – This was the single most-frequently cited program area called out for increased investment.
 - Rental Housing Production and Preservation
 - Homeownership
- **Support for advancing racial equity** outcomes through Housing Levy investments
- **Questions and concerns about:**
 - Reduced investment to any category, with a particular emphasis on Rental Housing Production and Preservation, OMS, and Homeownership
 - How Housing Levy funds will work with other available local funds, including JumpStart/Payroll Expense Tax

The diagram below illustrates this feedback collection and proposal revision process, which occurred between October 2022 and February 2023. The Initial Proposal, Revised Proposal, and hypothetical funding scenarios considered by the TAC may be viewed on the Office of Housing’s website (<https://seattle.gov/housing/levy>).

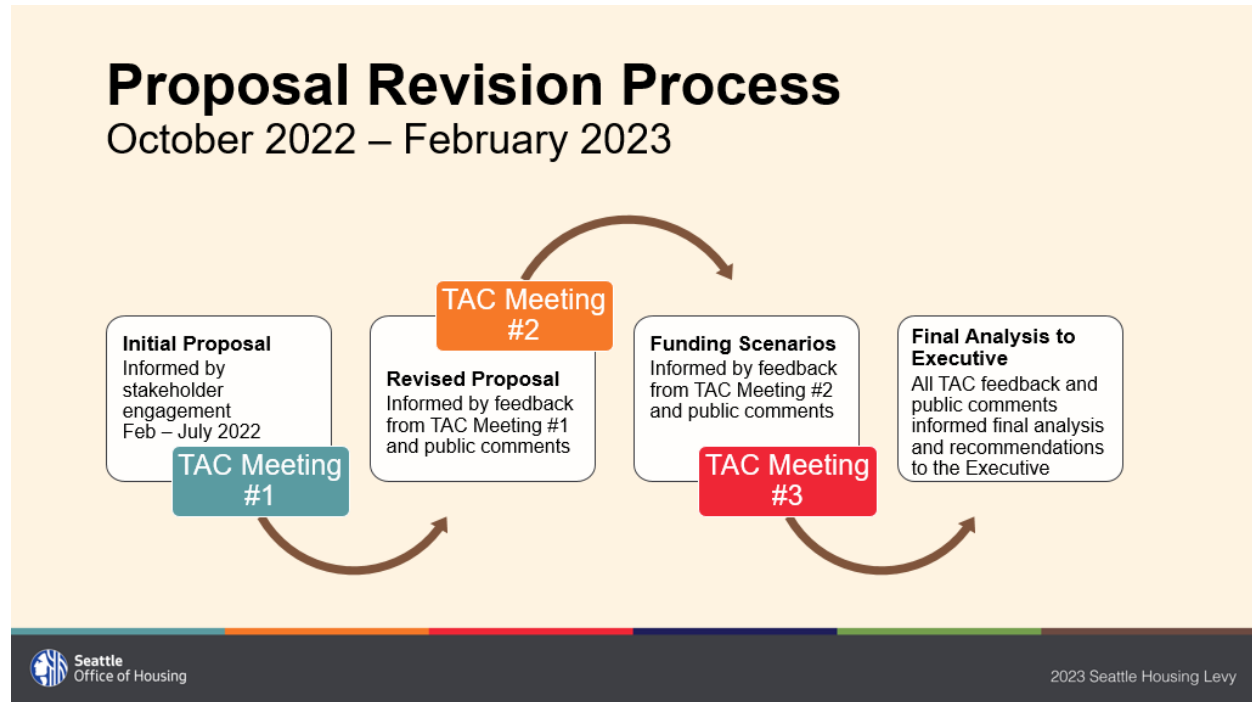


Diagram illustrating the flow of initial stakeholder feedback, TAC feedback, and public comments into Housing Levy proposals

Housing Levy Technical Advisory Committee (TAC) Members

1. Andrea Sato, Kantor Taylor
2. Ann Melone, U.S. Bank
3. Bob Peterson, Washington State Housing Finance Commission
4. Dan Wise, Catholic Community Services
5. Daniel Malone, DESC
6. Darryl Smith, HomeSight
7. Dennis Sills, Plymouth Housing
8. Derrick Belgarde, Chief Seattle Club
9. Emily Alvarado, Enterprise Community Partners
10. Emily Thompson, GMD Development
11. Felicia Salcedo, We Are In
12. Gordon McHenry, Jr., United Way of King County
13. Gregg Colburn, University of Washington
14. Jamie Lee, SCIDpda
15. Lindsay Grad, SEIU 1199NW
16. Marc Dones, King County Regional Homelessness Authority
17. Michael Brown, Civic Commons
18. Patience Malaba, Housing Development Consortium
19. Rod Brandon, Seattle Housing Authority
20. Susan Boyd, Bellwether Housing



Housing Levy Technical Advisory Committee meeting, November 18, 2022

TAC public meeting dates

October 28, 2022 – in-person at Seattle City Hall and virtually on Zoom
November 18, 2022 – in-person at Seattle City Hall and virtually on Zoom
December 16, 2022 – virtual meeting on Zoom

Open House event dates

December 6, 2022 – in-person at DESC Hobson Place (1911 22nd Ave S)
December 14, 2022 – in-person at Northaven Senior Living (11045 8th Ave NE)
January 5, 2023 – virtual meeting on Zoom



Housing Levy Open House at Hobson Place, December 6, 2022

External Events

In addition to the meetings convened by the Office of Housing, described above, staff also presented and received feedback on the Housing Levy at the following events sponsored by organizations external to the Office of Housing.

Housing Development Consortium Affordable Housing Week Event: May 11, 2022

Housing Development Consortium Learn at Lunch: June 22, 2022

We Are In External Partners Group: August 11, 2022

Housing Washington Conference: October 2-3, 2022

Seattle Planning Commission, Housing & Neighborhoods Committee: November 3, 2022

Seattle Planning Commission: December 8, 2022

Third Door Coalition Meeting: December 13, 2022

Appendix

Public Comments Received (October 2022 – January 2023)

All written comments received by e-mail are included below. Recordings of testimony provided at public Technical Advisory Committee (TAC) meetings may be viewed on the Office of Housing’s website (<https://seattle.gov/housing/levy>).

Comment Number	Name of Commenter	Affiliation	Date Received	Comment Method
1	Ryan Donohue	Habitat for Humanity	10/28/2022	In-person testimony at public TAC meeting
2	Kathleen Hosfeld	Homestead Community Land Trust	10/28/2022	In-person testimony at public TAC meeting
3	Andy Burién	DESC	10/28/2022	In-person testimony at public TAC meeting
4	John Grant	Low Income Housing Institute	10/28/2022	In-person testimony at public TAC meeting
5	Alison Eisinger	Seattle/King County Coalition on Homelessness	10/28/2022	Virtual testimony at public TAC meeting
6	Jesse Simpson	Housing Development Consortium	10/28/2022	In-person testimony at public TAC meeting
7	John Rios	DESC	10/28/2022	In-person testimony at public TAC meeting
8	Bill Dorn	Northaven Senior Housing	11/16/2022	Written comment received by e-mail
9	Matthew Cazier	University of Washington and Plymouth Housing Board	11/18/2022	Written comment received by e-mail
10	Marlo Klein	United Way of King County	11/18/2022	Written comment received by e-mail
11	Karen Peterson	Plymouth Housing	11/18/2022	Written comment received by e-mail
12	Jesse Simpson	Housing Development Consortium	11/18/2022	In-person testimony at public TAC meeting
13	Kimberly Arrington-White	Plymouth Housing	11/18/2022	In-person testimony at public TAC meeting
14	Kathleen Hosfeld	Homestead Community Land Trust	11/18/2022	In-person testimony at public TAC meeting
15	Bill Dorn	Northaven Senior Housing	11/18/2022	Virtual testimony at public TAC meeting
16	Katie Randall	Mercy Housing Northwest	11/18/2022	Virtual testimony at public TAC meeting
17	Tamara Knox	Frolic Communities	11/18/2022	Virtual testimony at public TAC meeting
18	Brian Lloyd	Beacon Development Group	11/18/2022	Virtual testimony at public TAC meeting

19	Jon Grant	Low Income Housing Institute	11/18/2022	Virtual testimony at public TAC meeting
20	Terry Galiney	Seattle Housing Authority	11/18/2022	Virtual testimony at public TAC meeting
21	Lainey Sickinger	Plymouth Housing (Board Member)	11/18/2022	Virtual testimony at public TAC meeting
22	Omar Cuevas Vega	OPEIU Local 8	11/21/2022	Written comment received by e-mail
23	Sara Levin	United Way of King County	11/28/2022	Written comment received by e-mail
24	Kate Smith	SMR Architects	12/16/2022	Virtual testimony at public TAC meeting
25	Lisa Bogardus	Seattle Building and Construction Trades Council	12/16/2022	Virtual testimony at public TAC meeting
26	Jesse Simpson	Housing Development Consortium	12/16/2022	Virtual testimony at public TAC meeting
27	Katie Garrow	MLK Labor Council	12/16/2022	Virtual testimony at public TAC meeting
28	Ryan Donohue	Habitat for Humanity	12/16/2022	Virtual testimony at public TAC meeting
29	Linda Mitchell	Mary's Place	12/16/2022	Virtual testimony at public TAC meeting; Written comment received by e-mail
30	Billy Hetherington	Laborers Local 242	12/16/2022	Virtual testimony at public TAC meeting
31	Kathleen Hosfeld	Homestead Community Land Trust	12/16/2022	Virtual testimony at public TAC meeting
32	Jon Grant	Low Income Housing Institute	12/16/2022	Virtual testimony at public TAC meeting
33	IBEW 46 – submitted by Nicole Grant	IBEW 46	12/30/2022	Written comment received by e-mail
34	Mecedes Fernandez, Maria Barrientos, Rick Hooper	Uptown Alliance	1/10/2023	Written comment received by e-mail
35	Habitat for Humanity, Homestead CLT, Washington Homeownership Resource Center, HomeSight, Parkview Services - submitted by Ryan Donohue	Habitat for Humanity, Homestead CLT, Washington Homeownership Resource Center, HomeSight, Parkview Services	1/13/2023	Written comment received by e-mail

36	Lauren Fay	DESC	1/13/2023	Written comment received by e-mail
37	Dennis Sills	Plymouth Housing	1/13/2023	Written comment received by e-mail
38	Alison Eisinger	Seattle/King County Coalition on Homelessness	1/13/2023	Written comment received by e-mail

Written Comments Received by E-Mail (October 2022 – January 2023)

Bill Dorn – 11/16/2022

From: [William Dorn](#)
To: [Antonio, Nathan](#)
Subject: RE: November 18th Levy Hearing
Date: Wednesday, November 16, 2022 4:11:08 PM
Attachments: [image001.png](#)
[image004.png](#)
[image003.png](#)
[Housing Levy Testimony 11182022.docx](#)

CAUTION: External Email

Nathan,

Here is an updated version of what I submitted yesterday. Do I need to upload it somewhere else for the record or will you do that?

Thanks.

Bill

William H Dorn IV
 Director of Development
 206.334.9820 (cell)
bdorn@northavenseniiorliving.org

Request for Housing Voucher for Medicaid Dependent Seniors in Assisted Living

Northaven Senior Living is an independent non-profit dedicated to providing low income housing and services for seniors in the Northgate area with a 50 year old 196 unit independent living community, a just opened a new 82 unit community next door, and a 40 unit assisted living community that used to be 90% dedicated to Medicaid dependent seniors.

Maintaining that level of dedicated Medicaid units has become untenable as the gap between the actual cost of housing and services and Medicaid reimbursement rates continues to widen and now fewer than 40% of our residents are Medicaid eligible. We turn tearful families away every day. This is not what we want to do but, unless we can find a different way to fund seniors who have no financial resources left, we must continue to decrease our Medicaid population or close as 17 assisted living communities in Washington whose populations were heavily Medicaid dependent have done in the past couple of years.

We are one of the only remaining communities in Seattle, and the only one north of the Ship Canal, still accepting residents who are Medicaid dependent. These folks have nowhere else to go. **Assisted living for Medicaid dependent seniors is low-income housing with services for elders** whose only other option is couch surfing or worse.

Please include project based vouchers for Medicaid dependent seniors needing assisted living care in the next levy.*

How much would the voucher need to be?

Our cost of care per month is \$4,700

Medicaid currently pays \$3,640**

That leaves a gap of \$1,060.

With a **\$1,060** per month voucher would break even at today's costs and Medicaid rate.

Northaven would still need to fundraise as labor and food costs, etc. increase and for long term building maintenance.

The vouchers must be project based. If it went to the senior it would be counted as an asset which would push them out of Medicaid eligibility.

* Existing voucher programs in Seattle are tapped out. Alice Kimbowa, Project Director for Voucher Programs at Seattle Housing, has said there are no project based vouchers available.

**Medicaid eligible seniors have less than \$2,000 in assets and any income...Social Security, pension...goes to the State of Washington. The resident is allowed to keep \$60 per month for personal expenses. The state augments whatever garnished income is to reach the \$3,640.

***There is not a politically viable way to significantly increase Medicaid reimbursement rates. I have been working with our legislative delegation - Senator Frocket, Representative Pollet and Representative Valdez – toward a way to use housing money to help us get back to our mission of providing care to poor seniors. But any solution there is several sessions away.

****The assisted living community, Park Place, in Seattle has, for years, had project based vouchers. Evergreen Court in Bellevue has project based vouchers from King County and Cascade in Tacoma has project based vouchers from the City of Tacoma.

Matthew Cazier – 11/18/2022

From: [matthew.cazier](#)
To: [Antonio, Nathan](#)
Cc: [Dennis Sills](#)
Subject: Public Comment for TAC meeting
Date: Friday, November 18, 2022 10:48:06 AM

CAUTION: External Email

Good afternoon Office of Housing representatives and Technical Advisory Committee members. My name is Matthew Cazier and I am a current Board of Trustees member with Plymouth Housing. On behalf of more than 1,100 residents and 250 staff at Plymouth Housing, thank you for the opportunity to comment on the Seattle Housing Levy proposal.

Plymouth's work would not be possible without support from the Housing Levy. Since 2020, we have opened three new buildings that house more than 300 individuals who formerly experienced homelessness. We will open two more buildings in the next year to house nearly 200 more individuals experiencing homelessness.

The Housing Levy supported both the development of these new buildings and Operations, Maintenance, and Services for several Plymouth buildings. We hope to build on the many successes of previous Housing Levies.

Plymouth is grateful for the overall new levy proposal of \$840 million over 7 years compared to the initial proposal of \$758 million. We know the true need to be at least \$1.2 billion. We urge the Office of Housing to pursue a bold proposal that addresses true need.

Permanent Supportive Housing requires wraparound services to serve residents. We appreciate consideration of additional investment in OMS and JumpStart funds to support OMS renewals and frontline housing workers. Robust, sustainable, guaranteed, and long-term funding is needed. We ask you to increase the per unit, per year amount to fully fund OMS, and ask that you provide at least \$25 million per year of JumpStart funds to support PSH workforces.

Thank you!

Best,
Matthew

Matthew Cazier, RN, BSN, CCRN
Clinical Nurse Educator, Trauma-Surgical ICU,
Professional Development & Nursing Excellence
Harborview Medical Center– UW Medicine
325 Ninth Avenue, Box 359733
Seattle, Washington 98104
Email: mcazier@uw.edu
Voice Mail: 206-744-4571
Pager/text: 206-540-3349
Fax: 206-744-2043
Pronouns: He, Him, His

Marlo Klein – 11/18/2022

From: [Marlo Klein](#)
To: [Antonio, Nathan](#)
Subject: Public Comment Seattle Housing Levy renewal
Date: Friday, November 18, 2022 11:34:53 AM

CAUTION: External Email

Hi Nathan –

On behalf of United Way of King County, I am writing to request that rent assistance funding be increased in the Seattle Housing Levy renewal. The benefits of adequately funding rent assistance cannot be overstated. Rent assistance keeps low-income renters in their homes, is a cost-effective eviction diversion strategy and plays a paramount role in preventing homelessness. We know that the cost of rent has risen beyond the reach of many, including those who work full-time and have two incomes. Since 2021, rent prices have increased 20% and the average rent in Seattle now stands at a shocking \$2,774. Given that the Seattle Housing Authority wait list is closed, the staggering dearth of affordable housing for those that need it, the time it takes to build new affordable housing, inflation, and that homelessness is unabated – increasing rent assistance in the Seattle Housing Levy will ensure housing security for thousands of Seattle renters each year. It will also help affordable housing providers meet their operating costs and small landlords who play an important role in our housing system. In addition, multiple studies throughout the country and locally have shown that Black and Latinx renters in general, and women in particular, are disproportionately threatened with eviction, are disproportionately evicted from their homes and are thus, overrepresented in our homeless system. Increasing funding for rent assistance will lead to a more racially just community.

Thank you for your time and consideration.

Marlo Klein

Senior Community Impact Manager
Eviction Prevention & Housing Stability
United Way of King County
mklein@uwkc.org
(206) 461-5082
[Web](#) | [Blog](#) | [Facebook](#) | [Twitter](#) | [COVID-19 Updates](#)

Karen Peterson – 11/18/2022

From: [Karen Peterson](#)
To: [Antonio, Nathan](#)
Subject: Housing Levy – Public Comment Submission
Date: Friday, November 18, 2022 1:47:57 PM
Attachments: [image001.png](#)

CAUTION: External Email

Nathan:

Thank you for the opportunity submit public comments on the Housing Levy.

I must start by sharing my appreciation for the new levy proposal of \$840 million over 7 years. I want to highlight the need to devote more resources to preservation of our affordable housing stock. The current commitment of 587 preserved homes is far below the actual need. Plymouth alone has an estimated need of \$70M to address our portfolio with an excess of 500 units. We must adequately fund both the creation of new units and preservation of affordable units, especially those units that are coupled with federal subsidy. Without investment, we will not reach a net gain of units if we are losing units and potential subsidies on the back side.

It is uniquely critical that we be intentional about committing funds to preservation projects because there are limited options to reposition aging affordable buildings. Preservation projects are not very competitive for new capital dollars because the projects formerly homeless residents are considered housed. Public preference is to create new units, so preservation projects are generally not very competitive for capital dollars even though these developments receive subsidies and assisted units are still restricted upon turnover to persons experiencing homelessness.”

Thank you for this opportunity and I encourage supporting efforts to size the funding to meet the current needs.

Karen Peterson

Karen Peterson
Chief Real Estate Officer
She/Her/Hers
O: (253) 346-0075
M: (651) 263-5086
kpeterson@plymouthhousing.org



Omar Cuevas Vega – 11/21/2022

From: [Omar Cuevas Vega](#)
To: [Antonio, Nathan](#)
Subject: RE: Seattle Housing Levy TAC Meeting 2 Zoom Participation Information
Date: Monday, November 21, 2022 9:00:38 AM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)
[TAC Testimony 11.18.22.docx](#)

CAUTION: External Email

Hi Nathan,

I had to step away unfortunately and missed the public comment portion of the meeting. Please find attached my written comments. Please let me know if you have any questions.

Best,

Omar Cuevas Vega
Organizer | he/they
OPEIU Local 8 | AFL-CIO
NEW ADDRESS
2900 Eastlake Ave E. #220, Seattle, WA 98102
(206) 441-8880 ext 116 | [@opeiu8.org](#)

Find Local 8 on Facebook:
www.facebook.com/OPEIULocal8

Good afternoon members of the Technical Advisory Committee and guests,

For the record my name is Omar Cuevas Vega I live in North Seattle and I am an organizer with the Office and Professional Employees International Union Local 8. We represent hundreds of members throughout the city of Seattle, including but not limited to workers at YouthCare, Low Income Housing Institute, and Plymouth Housing.

I am here to speak in support for a Housing Levy and additional city commitments that sustain current Permanent Supportive Housing and expand deeply affordable housing and services for Seattle residents who need them.

This requires sustained and significant commitments to the people who staff those buildings, from the maintenance workers to the case managers, the administrative support staff to the overnight shift. A strong stable workforce can help ensure our most vulnerable residents can have what they need to thrive.

These investments are smart, necessary, and good to build to pay for the current and new workforce in the Housing Levy AND into complementary city funding for housing and services through JumpStart Seattle.

Please invest in the buildings to ensure they're high-quality construction that provide good homes for residents and serve our city well for years. And invest in the people who do this work now and in the future for the same reasons.

Thank you for your time.

Sara Levin – 11/28/2022

From: Sara Levin <slevin@uwkc.org>
Sent: Monday, November 28, 2022 7:30 AM
To: Velasco, Stephanie <Stephanie.Velasco@seattle.gov>
Cc: Klein, Marlo <mklein@uwkc.org>; Gordon McHenry, Jr. <gmchenryjr@uwkc.org>
Subject: public comment: Seattle Housing Levy

CAUTION: External Email

Hello Office of Housing team - On behalf of United Way of King County, I am writing to request that rent assistance funding be increased in the Seattle Housing Levy renewal. The benefits of adequately funding rent assistance cannot be overstated. Rent assistance keeps low-income renters in their homes, is a cost-effective eviction diversion strategy and plays a paramount role in preventing homelessness. We know that the cost of rent has risen beyond the reach of many, including those who work full-time and have two incomes. Since 2021, rent prices have increased 20% and the average rent in Seattle now stands at a shocking \$2,774. Given that the Seattle Housing Authority wait list is closed, the staggering dearth of affordable housing for those that need it, the time it takes to build new affordable housing, inflation, and that homelessness is unabated – increasing rent assistance in the Seattle Housing Levy will ensure housing security for thousands of Seattle renters each year. It will also help affordable housing providers meet their operating costs and small landlords who play an important role in our housing system. In addition, multiple studies throughout the country and locally have shown that Black and Latinx renters in general, and women in particular, are disproportionately threatened with eviction, are disproportionately evicted from their homes and are thus, overrepresented in our homeless system. Increasing funding for rent assistance will lead to a more racially just community.

The United Way team appreciates all that the OH staff and City of Seattle do to support keeping people housed. We've deeply appreciated our partnership with you on distribution of rent assistance funds. Levy renewal is an important opportunity to continue to scale the resources needed to keep people in their homes, alongside the other important housing strategies the City is prioritizing. Thanks for your hard work and your consideration.

Sara
Sara Levin
She/Her/Hers
Chief Impact Officer
United Way of King County
slevin@uwkc.org
(206) 461-3643
[Web](#) | [Blog](#) | [Facebook](#) | [Twitter](#) | [COVID-19 Updates](#)

Linda Mitchell – 12/16/2022

From: [Linda Mitchell](#)
To: [Antonio, Nathan](#)
Subject: Housing Levy TAC #3 Comments
Date: Friday, December 16, 2022 4:03:40 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

CAUTION: External Email

Thank you for the opportunity to provide feedback to the current Seattle Housing Levy proposal.

At Mary's Place, our mission is that no child should sleep outside, and we believe that best way to keep people from becoming homeless, is to keep them in their homes. We've operated emergency family shelter in King County for more than 10 years and provided shelter and services for thousands of women and families, and we know the trauma that homelessness can cause, and the lasting impacts that it can have, particularly on children. The most significant predictor of homelessness is prior homelessness.

We know we can do better, we can stop the generational cycle of homelessness, and we believe that prevention is critical to that. And we've learned through pilot projects and federal ERAP funds that we helped to distribute during COVID, that providing rental assistance along with stability supports is effective, and much more cost effective than operating shelters.


We appreciate the bigger, bolder Housing Levy proposal presented in TAC #2. We strongly support the need for more affordable housing and hope that polling research will support scaling up even further to meet more of the growing need in our community.

In particular, we hope that additional funding can be allocated to increase the amount of Prevention, Rental Assistance, and Stabilization, and specifically that:

- The requirement of 50% of AMI is raised to reflect the reality of many struggling with inflation and rising rents on what was once a livable wage
- The cap for assistance is raised to at least \$10,000 per HH
- The funds remain available to all Seattle families

Thank you for your consideration, we're grateful for the hard work that you're doing to address our homelessness crisis.

Linda Mitchell
she/her

 Chief Communications Officer
p 206-334-4687
w marysplaceseattle.org e linda@marysplaceseattle.org
No one's child should sleep outside

f t @ in v a

IBEW 46 – submitted by Nicole Grant – 12/30/2022



International Brotherhood of Electrical Workers • Local 46
19802 62nd Ave S, Suite 1 OS • Kent, WA 98032
253-395-6500 (voice) • 253-872-7059 (fax)
www.ibew46.org

MEMORANDUM FOR PUBLIC COMMENT

FROM: The International Brotherhood of Electrical Workers, Local Union 46
TO: Nathan Antonio, City of Seattle Housing Levy Planning and Development Analyst
DATE: December 30, 2022
RE: Public Comment for the City of Seattle’s Office of Housing Revised Housing Levy Proposal for the 2023 Seattle Housing Levy
SENT: Submitted via email to Nathan.Antonio@Seattle.gov

With the 2016 Housing Levy set to expire at the end of 2023, the City of Seattle’s Office of Housing (“City”) and its Director, Maiko Winkler-Chin, are now developing a Revised Housing Levy Renewal Proposal (“Proposal”) for the 2023 Seattle Housing Levy (“Housing Levy”). The Housing Levy Technical Advisory Committee (“TAC”) has solicited public comments on the most recent draft of this Proposal to inform the Director’s final Proposal on the renewed Housing Levy to Mayor Bruce Harrell.

The International Brotherhood of Electrical Workers, Local Union 46 (“IBEW 46”), and its 6,200 local members have supported the City’s affordable housing efforts for many years. IBEW 46, the MLK Labor Council and other area labor organizations played a prominent role in the passage of the 2016 Housing Levy and have been long-time supporters of the City’s Mandatory Housing Affordability (“MHA”) program and the City’s Housing Affordability and Livability Agenda (“HALA”).

Labor organizations like ours have prioritized ongoing engagement around the City’s affordable housing efforts with support for MHA program legislation and principles advanced by the HALA team. Because of IBEW 46’s commitment to improving the lives of electrical workers and their families, it will continue to advocate for high-quality affordable housing opportunities that contribute to the revitalization of the City’s low-income communities through targeted development and preservation of affordable housing, such as the Housing Levy.

In accordance with this commitment, IBEW 46 offers its full support of the Housing Levy at the level of \$840 million dollars over seven years and the current draft Proposal. However, IBEW 46 has one revision request: to include a Community Workforce Agreement (“CWA”) that would cover all projects funded by the Housing Levy. IBEW 46 submits this Memorandum for Public Comment (“Memorandum”) in support of its revision request and asks for the City’s due consideration of this Memorandum in finalizing the Proposal for Mayor Harrell’s review.

IBEW 46 Strongly Encourages the City to include a Community Workforce Agreement that Would Cover all Housing Levy Funded Projects.

Creating affordable housing to meet the City’s growing housing crisis is challenging. It is a complex and multilevel problem. But the advantage of multilevel problems is that there are multilevel solutions. The current Proposal offers some progressive and pragmatic multilevel solutions to address Seattle’s housing crisis over the next seven years, but the absence of one crucial component, a CWA, will seriously undermine the sustainability of the City’s affordable housing efforts. While IBEW 46 supports the City’s most recent draft Proposal for the Housing Levy, IBEW 46 urges the City to require a CWA cover all affordable housing projects funded by the Housing Levy.

The City has long recognized and utilized CWAs in its public works projects as an effective mechanism to help its low-income residents and disadvantaged workers secure gainful employment that provide growth opportunities for their income and assets. Since 2015, the City’s CWA with the Seattle King County Building and Construction Trades Council and Northwest National Construction Alliance II has created economic opportunities for thousands of the City’s historically disadvantaged workers by fostering construction careers that serve as a powerful pathway out of poverty.¹ It requires all construction contractors and subcontractors of whatever tier engaged in construction work for projects that are subject to this CWA to sign a letter of assent which binds them to the CWA as a condition of performing work on the project. This CWA also supports the intent set forth in Seattle Municipal Code (“SMC”) Chapter 20.42, to promote and ensure access for woman and people of color to meaningful work on City public works projects.

A critical and necessary component of this CWA is the Priority Hire program which requires targeted local hires from specific ZIP codes as directed by SMC 20.37. These priority hire requirements put people living in economically distressed communities to work on the City’s construction projects. According to the City’s October 27, 2022 completed priority hire overview on public works projects, the CWA and its priority hire requirements have helped ensure that roughly 50% of the City’s completed public works projects have met their employment goals with respect to woman-identified employees. Additionally, more than 60% of the City’s completed public works projects have met their goals for the employment of people of color.

Aimed at reducing the employment barriers that women and people of color regularly face, this population of disadvantaged workers consistently enjoy more equitable access to career opportunities and economic growth which are otherwise unavailable without priority hiring requirements. For instance, most jobs that pay living wages with the opportunity for upward growth require postsecondary education. The Priority Hire program offers a pathway to these jobs for women and people of color living in economically distressed communities through state-registered construction apprenticeship programs. By focusing on the entire worker development process – from pre-training to construction careers, the Priority Hire program ensures higher rates

¹ This CWA covers every City of Seattle administered public works project estimated to cost \$5 million dollars or more at time of bid when including any contingency budget, except when a project is exempted by the Director of City Purchasing and Contracting Services for the Department of Finance and Administrative Services under conditions established by SMC 20.37. The City of Seattle CWA Extension 2021 which can be accessed online: https://www.seattle.gov/Documents/Departments/FAS/PurchasingAndContracting/Labor/Seattle_CWA_final.pdf

of employment for women and people of color and invests tax dollars back into the communities that need it most.

As a result of these positive and measurable gains in economic opportunities and workforce development of the City's women and people of color, requiring a CWA for the City's capital projects is now standard practice. Given this practice's proven track record at achieving the City's goals for creating more job opportunities in the building trades for women and people of color, it stands to reason that the City seize this opportunity and continue those efforts in the development of affordable housing for years to come.

IBEW 46 urges the City to incorporate a CWA and priority hire requirements for the affordable housing projects funded by the renewed Housing Levy. Whether the City elects to apply the terms of its existing public works CWA to Housing Levy-funded projects or develop a separate CWA and priority hire requirements that are specific to its affordable housing program needs, IBEW 46 believes the agreed-upon procedures and priority hire requirements of a CWA are necessary components to the Housing Levy's success. The addition of this crucial component will create economic opportunities for disadvantaged workers while also developing affordable housing in the same communities where many of these disadvantaged workers live.

The City has Compelling Reasons to Include a CWA as a Necessary Component in its Housing Levy Proposal.

While the primary focus of the Housing Levy is to fund affordable rental housing for low-income residents that are being displaced, the sustainability of the affordable housing that it develops also requires real opportunities to increase the earning potential and economic mobility of its immediate low-income residents.

Projects developed with Housing Levy funds will create affordable housing opportunities for existing low-income residents working in low-income jobs who might otherwise live far from the City. It will also fund the development of affordable housing for people with disabilities, seniors, families with children, formerly unhoused individuals and families, and people working in low-income jobs who do not have access to affordable housing in the community in which they work. Many of the residents that are at risk of being displaced by redevelopment and rising housing costs in Seattle are also the same population of disadvantaged workers that CWAs provide equitable access to meaningful work and economic opportunities to.

In order for people to achieve financial stability and subsequently improve their socio-economic status, they need the training and skills to secure good paying jobs. Given the proven ability of a CWA to provide sustainable, living wages and the potential for upward economic mobility, they are an important conduit for economic mobility and social parity. If the City's current low-income residents do not have a viable pathway out of poverty, the affordable housing gap will expand exponentially as Seattle's population continues to grow.

Future low-income residents will not have access to the affordable housing opportunities the Housing Levy will provide, unless the City takes affirmative steps to disrupt the inevitable

housing crisis cycle now. To quote Councilmember Teresa Mosqueda, if the City is merely “meeting today’s [affordable housing] need,” it would “mean we wouldn’t be planning for and building the housing needed for our growing population and the projected influx of residents in the near future.”² Since the City already has a tried-and-true mechanism for providing gainful employment opportunities to disadvantaged workers, the addition of a CWA component will maximize the benefits it will produce without having to reinvent the proverbial wheel in order to achieve the same results.

Put simply, the inclusion of a CWA and attendant priority hire requirements will ensure that affordable housing funds are dispersed in a way that supports gainful employment of disadvantaged, marginalized, historically underrepresented and vulnerable people in our community who historically earn low wages. As such, IBEW urges the City to prioritize the employment of those low-income and disadvantaged workers who reside in the communities where affordable housing is being developed by providing equitable access to economic opportunities and workforce development through a CWA.

Failing to Incorporate the Crucial CWA Component Will have a Detrimental and Long-Lasting Effect on the City’s Affordable Housing Efforts.

Failing to include a CWA requirement will undoubtedly result in more harm to the City’s affordable housing ecosystem by perpetuating the very circumstances that created and continue to exacerbate the very housing crisis that these funds are designed to ameliorate. Without the protections and safeguards of a CWA, Housing Levy development funds will be subject to a “low bid wins” scenario which only perpetuates the dearth of economic opportunities for the very residents that it is intended to benefit. In this scenario, there is a strong incentive for contractors to assemble the lowest cost, oftentimes the most vulnerable and exploitable, workforce possible. This is why we now have an epidemic of exploitation in the construction industry. Wage theft and misclassification of employees as “independent contractors” in order to avoid the payment of taxes and benefits is rampant on projects that do not have the stability and oversight protections that a CWA provides.

By adopting a CWA, all construction contractors and subcontractors of whatever tier engaged in construction work for all Housing Levy-funded projects will have to sign a letter of assent and be bound to its terms as a condition performing work. This will severely limit opportunities to engage in exploitative employment practices and it will protect an already vulnerable workforce. It will stabilize wages, hours and working conditions for craft workers, and it will ensure workers on Housing Levy-developed projects enjoy the same working conditions. It will also encourage close cooperation between the City, Labor Organizations and Contractors, for a satisfactory, continuous and harmonious relationship between all involved on Housing Levy-funded projects.

² See the December 7, 2022 Publicola article “Seattle’s Housing Levy, On the Ballot Next Year, Could Rise to \$840 Million or More” by Erica C. Barnett which can be found here: <https://publicola.com/2022/12/07/seattles-housing-levy-on-the-ballot-next-year-could-rise-to-840-million-or-more/>.

Finally, a CWA will also encourage the timely completion of projects with skilled workers and agreed-upon procedures and eliminate the threat of work stoppages that can result in costly delays. The labor strife of recent history should serve as a cautionary tale for the City, as the value of a no strike clause that is frequently included in a CWA cannot be understated.

Here, the City has an amazing opportunity to advance equitable workforce development for its low-income residents and disadvantaged workers while also creating affordable housing opportunities in the very same communities in which those low-income residents and disadvantaged workers live. If the Housing Levy is renewed without a CWA in place to cover the development of its affordable housing projects, the circumstances identified above will only perpetuate the poverty that the Housing Levy ultimately seeks to undo. It will also make the City's future affordable housing burdens even greater than those we are facing today.

Years of insufficient housing construction, coupled with Seattle's seemingly endless cost-of-living increases mean even the anticipated affordable housing developments that will be funded by the renewed Housing Levy still will not be enough to meet the City's current housing needs. Seattle continued to grow during the pandemic, and City planners anticipate our population will swell to 1 million in the next twenty years.³ Moreover, as building materials and construction costs hit historic heights, the need for more affordable housing options is not slowing down. Given the severity of the current housing crisis, the City must be intentional in the method and manner of how the renewed Housing Levy funds will be spent. Now more than ever, it is imperative that the City protect the taxpayers' affordable housing investment and require all Housing Levy-funded projects be subject to the protections and stability afforded by a CWA.

In closing, the IBEW 46 appreciates the opportunity to comment on the Housing Levy Proposal and looks forward to providing its continued support for the City's affordable housing efforts through the renewed Housing Levy. If there are any questions regarding this Memorandum, please feel free to contact Nicole Grant, IBEW's Director of Governmental Affairs, by email at nicolegrant@ibew46.com or by phone at (253) 340-7680.

³ Excerpt also from the PubliCola article "*Seattle's Housing Levy, On the Ballot Next Year, Could Rise to \$840 Million or More*" by Erica C. Barnett.

Mecedes Fernandez, Maria Barrientos, Rick Hooper – 1/10/2023



Uptown is a vibrant and dynamic neighborhood. Uptown businesses, restaurants, shops, parks, arts and cultural activities remain open during construction of the New Arena at Seattle Center.

UPTOWN ALLIANCE LAND USE REVIEW COMMITTEE

To: Maiko Winkler-Chin, Office of Housing, City of Seattle
From: Uptown Alliance Land Use Review Committee (UP-LURC)
Re: Office of Housing's Proposal to Renew the Housing Levy in 2023

Action: We are asking OH to incorporate our comments below into actions for the next 2023 proposed Housing Levy. Uptown Alliance and the Uptown community is very excited to incorporate supportive and affordable housing into the mix of new residences. We see the need for housing of all types and work diligently to promote diversity as part of the housing model.

- 1) We would like to see more housing with integrated services such as the most recently constructed Kristen Benson Place on 2nd Avenue developed by Plymouth Housing with *Path with Art* as an anchor first floor tenant. Uptown Arts and Culture Coalition assisted OH in facilitating Path with Art as a high priority community use for the ground floor, showing how the Housing Levy builds housing but also uses ground floor space to address complimentary community needs.

We would like to see more robust and intentional interaction with the neighborhood communities/residences and local councils to identify opportunities to build partnerships with local businesses and integrated services.

- 2) There is a current and growing need to provide mental and general health care to the population benefiting from the Housing Levy. Given the current headlines in Seattle and nationally, mental health is a definite priority and must be integrated into the housing equation. Our communities have seen the mental health crisis become a front-line issue.

In the past few years housing providers have partnered with medical facilities to fill a growing need for mental and health care within the housing model.

Two projects most recently built or ready to open: Plymouth's Blake House has partnered with Swedish to provide health care and DESC's Hobson Place partnered with Harborview to provide extensive services (including pharmacy).

Uptown Alliance asks that the Office of Housing emphasize and support unique partnerships as important additions to the housing model. We would hope to see more opportunities with integrative services within the housing model. Uptown will be part of the Sound Transit expansion link and receive a new station. There will be many new opportunities to develop affordable housing as part of the TOD guidelines and as a forward-looking neighborhood we hope to see expanded services that will help the at-risk population thrive.

Maria Barrientos
Co-Chair, UP-LURC

Mercedes Fernandez
Co-Chair, UP-LURC

Rick Hooper
President, Uptown Alliance

Habitat for Humanity, Homestead CLT, Washington Homeownership Resource Center, HomeSight, Parkview Services – submitted by Ryan Donohue – 1/13/2023

Seattle Office of Housing
700 5th Avenue
Suite 5700
Seattle, WA 98104

1/13/2023

To Director Winkler-Chin and whom else it may concern,

As affordable homeownership developers and service providers, we are writing to provide public comment on the upcoming Seattle Housing Levy renewal.

We know better than most just how impactful the Seattle Housing Levy is as a groundbreaking tool for producing affordable housing. Thanks to the levy, over 15,000 affordable homes have been created and preserved. Within the homeownership section alone, we have exceeded all expectations well ahead of schedule and are continuing to provide even more affordable homeownership opportunities moving into the future. Between Habitat for Humanity, Homestead Community Land Trust, and HomeSight alone, we've built or are actively building over 350 permanently affordable homeownership units across the city of Seattle under the current iteration of the levy. The Washington Homeownership Resource Center and housing counseling partners have provided foreclosure prevention services for 375 homeowners since July 2021. Illustrating the importance of homeownership in the housing continuum, Parkview Services has been able to use levy funds to support 30 special needs households to become homeowners in the City of Seattle. The levy is working and can work even better with the increased funding.

The Office of Housing and the levy are models for other jurisdictions to follow when directly addressing the scarcity of housing in Washington state and around the country. The lack of affordable housing continues to be at the heart of the ongoing housing crisis, and yet the City of Seattle, thanks in part to the Seattle Housing Levy, has made Seattle one of the easiest places in Washington to build affordable homeownership projects.

Looking to 2023 and the hoped-for levy renewal, we urge you to ensure that we are expanding the levy to as substantive a level as possible and increase the homeownership allocation to at least \$50 million. This form of housing could serve up to 40% of the households who need affordable housing, but has historically received less than 5% of public affordable housing investment. Increased funding will increase production of resale-restricted homes, as well as homeownership opportunities for people with disabilities, down payment assistance for low-income households, and stabilization for existing low-income homeowners with home repair support.

Despite the success of past levies and the addition of JumpStart and Mandatory Housing Affordability funding, current levy funding levels simply do not meet the need for affordable housing in Seattle. Figures from the Department of Commerce show Seattle needs to add over 72,000 affordable homes by 2044, over 3,000 every year. We need a significant increase in

resources to meet community needs across the affordable housing continuum. By scaling up rental housing production goals while also allocating significant funding for permanently affordable homeownership to the level of \$50 million or more in the revised levy proposal, substantial progress can be made to provide homeownership opportunities for Seattleites across the city, not just the lucky wealthy few.

We all benefit when the people who work in Seattle can live close to their jobs, transit, and opportunities. Our homeowners benefit every single day from this levy. If we continue to support and expand this levy then numerous families who would not otherwise be able to afford housing will have the opportunity to own their home in the same city where they work and play. These families need your leadership to make Seattle a city that lives its proclaimed values of equity and inclusion by supporting a revised levy that fully funds Seattle’s housing needs and supports homeownership for everyday people.

Thank you for your time and consideration.

Habitat for Humanity Seattle-King & Kittitas Counties
Homestead Community Land Trust
Washington Homeownership Resource Center
HomeSight
Parkview Services



*Parkview
Services*

Lauren Fay – 1/13/2023

From: [Lauren Fay](#)
To: [Winkler-Chin, Maiko](#); [Antonio, Nathan](#)
Cc: [Daniel Malone](#)
Subject: DESC Public Comment on Seattle Housing Levy
Date: Friday, January 13, 2023 2:56:03 PM

CAUTION: External Email

Dear Director Winkler-Chin,

We wish to thank the Seattle Office of Housing for their hard work and dedication in overseeing the process to renew the Seattle Housing Levy. We know that our community is in dire need of more affordable housing, and the thoughtful process you and your team have led will ensure that thousands more of our neighbors find greater housing stability in the years ahead. We are writing with three recommendations for your consideration as you finalize the levy package:

First, as developers and operators of Permanent Supportive Housing (PSH) throughout the City of Seattle, we are in full support of a renewed levy of \$970,000,000. We are especially eager to see strong and substantial investment in PSH Operations, Maintenance, and Services. Continuing to provide support to the City's existing housing for people living on extremely low-incomes is crucial as we simultaneously look at our need to add many more affordable units.

Our existing buildings and tenants--and the workforce that provides daily support to both--are experiencing unprecedented levels of financial hardship due to inflation, wage and contract stagnation over the years, and direct competition with other sectors that can pay the same or more but offer a far less challenging environment to work in. With this in mind, **we ask that final levy plans include significant investment in Operations, Maintenance, and Services**, so our buildings can be well maintained, our workers who provide operational and specialized service support have dignified wages, and our tenants have the adequate support and living conditions they need to thrive.

Second, in addition to ensuring the levy can continue to adequately support existing affordable housing stock, we also ask you to ensure that all future PSH capital development and investment includes paired funding for Operations, Maintenance, and Services at levels that will ensure programmatic success of these affordable units, and strong support to the tenants who will live there.

Last, and very importantly, we ask that final levy plans include **specified investment to PSH workforce stabilization**. In the past few years, we have continued to answer the call to meet the needs of the community. We build new units, operate new units, and provide services to individuals who have experienced the traumas of chronic homelessness. Throughout this time, the size of our overall workforce has remained stagnant. We have created many new positions to take on additional work, but due to inadequate wage levels our contracts afford, we are struggling to fill those positions and consequently are stretching our existing workforce more and more thin. We must see significant investment in our current workforce so we can stabilize then continue to grow to meet the needs of Seattle.

Thank you so much again, for your commitment to developing a strong levy that we can all be proud to support. We look forward to continued collaboration in the years to come.

Sincerely,
Lauren Fay on behalf of DESC

Lauren Fay
she/her pronouns
Senior Business Manager
DESC
515 3rd Avenue

Dennis Sills – 1/13/2023

From: [Dennis Sills](#)
To: [Winkler-Chin, Maiko](#)
Cc: [Karen Lee](#); [Rainelle Sizemore](#); [Antonio, Nathan](#); [Larsen, Kelli](#); [Velasco, Stephanie](#)
Subject: Plymouth Housing Public Comment on Seattle Housing Levy
Date: Tuesday, January 17, 2023 9:29:45 AM

CAUTION: External Email

Dear Director Winkler-Chin,

On behalf of more than 1,100 Plymouth Housing residents and more than 250 staff, I write to thank the Seattle Office of Housing for its diligence in leading the process for renewing the Seattle Housing Levy in 2023. Plymouth appreciated participating on the Technical Advisory Committee (TAC) and providing comment through the TAC process.

Overall funding level

Plymouth strongly supports a renewed levy of \$970,000,000 or more. The need for affordable housing in our city continues to grow and bold action is needed to provide homes and housing stability to our neighbors.

Production and Preservation

Increased production and preservation will be possible with this bold proposal. Plymouth intends to continue to develop to address the increasing demand for permanent supportive housing (PSH), which is only possible with support from the Seattle Housing Levy. Additionally, Plymouth has buildings that are approximately 100 years old or have single room occupancy (SRO) units that lack kitchens, bathrooms, or both. For people to live safely and in dignity, we are grateful the proposal will help support upgrading and converting those venerable units.

Permanent Supportive Housing (PSH) Operations, Maintenance, and Services

Plymouth serves chronically homeless adults who have experienced prolonged homelessness and often have a disability. We provide trauma informed care through voluntarily accessible wrap-around services, and funding for operations, maintenance, and services (OMS) enables us to offer those resources to residents. We are grateful that the Office of Housing is proposing significant investments in PSH OMS funding. Plymouth also has several buildings nearing the end of their OMS contracts. We appreciate the investment being proposed to renew funding for those buildings and ensure the contract reflect current market pressures.

We encourage the Office of Housing and Seattle officials to ensure that OMS funding is paired with all future capital investment in PSH to ensure programmatic success. The coupling of this support is essential to support the services our residents utilize.

PSH workforce supports

Plymouth appreciates the Office of Housing is proposing targeted investment for PSH workforce stabilization. For providers to continue to answer the call of providing more units for chronically homeless in Seattle and supportive services, this investment is necessary. PSH providers must compete with other organizations that can pay far more, resulting in vacancies and staff turnover. Hiring and retention challenges occur at all levels of our organization from in-building workers to administrative positions. We must have human resources and finance workers to recruit and hire in-building staff, and we must have leasing office staff to find homes for potential new residents. We encourage meaningful investment for compensation for all staffing areas.

We are grateful for conversations about supplementing the Seattle Housing Levy's mission with other revenue sources. Our most significant, long-term costs come from operating costs (including workforce). The levy is the most dependable long-term funding source when renewed. It is challenging to make long-term funding decisions, including raising wages, without knowing that a revenue source can be counted on in the future.

Thank you for working on a Seattle Housing Levy proposal that we can all be proud to support. We look forward to continued collaboration.

Sincerely,

Dennis

Dennis Sills

[Plymouth Housing](#)

Director of Strategic Initiatives and Government Relations

2113 Third Avenue - Seattle, WA 98121

(206) 210-0419 – Work

I'm working remotely so please use Work phone.



Alison Eisinger – 1/13/2023

From: [Alison Eisinger](#)
To: [Antonio, Nathan](#)
Cc: [Sara Robbins](#)
Subject: Input for City of Seattle RE: Renewal of Seattle Housing Levy
Date: Friday, January 13, 2023 11:54:32 PM

CAUTION: External Email

Dear Nathan –

On behalf of the Coalition’s member organizations, the people they house and shelter, and people in need of homes in our community, I write to offer a few specific points for consideration in this next stage of planning the renewal of our Seattle Housing Levy.

In 2023 voters will want to support a proposal that is a wise use of public dollars to create good, affordable, accessible homes for Seattle residents who need them. We are hopeful that the Seattle Housing Levy renewal proposal that Mayor Harrell will soon transmit to the City Council, and that Council will put before Seattle voters later this year, will be a robust commitment to create, sustain, and operate homes that will assure people stability, safety, and dignity through strategic use of public funds. The Coalition on Homelessness supports a Levy that is the right size and the right plan to:

- ensure quality services and safe environments in existing levy-funded buildings through funding operations, maintenance, and services
- create more new rental homes than the last levy, with a clear focus on housing that keeps people who live on no or extremely low incomes (20-30% AMI and below) safe, healthy, and housed
- commit to fund non-profit housing operators adequately in order to pay living wages and provide institutional support to the people who work in levy-funded housing programs in order to reduce staff turnover and vacancy rates, and provide operational stability and quality services for residents.

The Coalition on Homelessness wishes to see our Seattle Housing Levy renewed at at least \$1 billion in order to pass a crucial test: the 2030 test. When it is time to renew this levy seven years from now, will we see that this proposal was bold, targeted towards those who will never secure homes without public subsidies and supports, and well-administered? We look forward to working with elected officials as well as our members to inform and shape a strong, excellent proposal, and to ensuring this renewal is one we can all agree with strengthen current and future residents and essential workers, as well as our whole city community.

Thank you,

Alison

[Alison Eisinger](#)
Executive Director
Seattle/King County Coalition on Homelessness

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact:	CBO Contact:
Office of Housing	Kelli Larsen	Nick Tucker

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to low-income housing; requesting that a special election be held concurrent with the November 7, 2023 general election for submission to the qualified electors of the City of a proposition to lift the limit on regular property taxes under chapter 84.55 RCW in order to authorize the City to levy additional taxes for low-income housing for up to seven years; providing for interim financing pending tax receipts; creating a levy oversight committee; requiring annual progress reports; providing for implementation of programs with funds derived from the taxes authorized; exempting certain seniors, veterans with disabilities, and other people with disabilities who qualify under RCW 84.36.381; and ratifying and confirming certain prior acts.

Summary and Background of the Legislation: The proposed ordinance would submit a \$970,260,175, seven-year levy package to the voters of Seattle for their approval in the fall of 2023. The proposed levy would be raised under the provisions of RCW 84.55.050, which allows a city to obtain voter approval to exceed the “lid” on regular property taxes for any purposes. Levy proceeds would be used for the following anticipated programs, subject to any changes approved by the Council:

- **Rental Production and Preservation: \$707,270,379**
Capital funding for new production of affordable rental housing, acquisition of structures to create or preserve affordable housing, and reinvestment in existing affordable housing to make critical capital improvements.
- **Operating, Maintenance, and Services: \$122,300,000**
Operating support for Housing Levy-funded buildings for 20 years, supplementing rent paid by extremely low-income residents, including formerly homeless residents and other residents with supportive service needs. Wage stabilization support for supportive housing workers serving residents who have experienced homelessness and who are living with extremely low incomes.
- **Homeownership Program: \$50,689,796**
Assistance to low-income homeowners to maintain stable housing through emergency home repair grants, assistance to eligible homebuyers through home purchase loans, and development subsidy loans for the development of new resale-restricted homes.
- **Prevention and Housing Stabilization: \$30,000,000**
Rent assistance and stabilization services for low-income individuals and families to prevent eviction, support housing stability, and address homelessness.
- **Acquisition and Preservation: Up to \$30,000,000 (no additional funding)**
Short-term acquisition loans for cost-effective purchases of buildings or land for rental or homeownership development.
- **Administration: \$60,000,000**

Funding for administration of all programs, including holding costs and predevelopment costs for land in the City's possession.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

This legislation does not directly result in appropriation or position changes. If the proposed levy is passed by Seattle residents, the budgets for the Office of Housing and any other relevant departments will reflect the corresponding appropriation and revenue amounts in 2024 and subsequent years.

Are there financial costs or other impacts of *not* implementing the legislation?

The Seattle Housing Levy is the foundational revenue tool for developing and preserving affordable housing in the city. The current 2016 housing levy expires with the collection of 2023 property taxes. The City's capacity to respond to the significant need for affordable housing would be sharply reduced starting in 2024 if this legislation is not implemented.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

No.

b. Is a public hearing required for this legislation?

A public hearing is not required, but in the process of drafting the proposal, different iterations were presented and feedback solicited from a Technical Advisory Committee at three public meetings where public comment was also received. The draft levy proposal was also on the agenda of two Housing Levy Oversight Committee meetings, which were open to the public. Finally, two open house events at Levy funded buildings and one virtual were held to educate members of the public about the Levy; participants were invited to leave

formal and informal feedback. Public comment received via any other method outside of formal opportunities was also accepted through January 13, 2023.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No.

d. Does this legislation affect a piece of property?

No. The Housing Levy does not implicate any specific piece of property, but it does create funding and programs that can be used to develop, preserve, stabilize, improve, or otherwise affect housing at many yet to be determined sites throughout the city.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

The distribution of program funds in the Housing Levy will improve access to rental housing and homeownership opportunities for Seattle's lowest income and most at-risk households, who are disproportionately Black, Indigenous, or other people of color. The investments made in the Housing Levy are intended to address historical inequities in access to housing. Some share of Housing Levy funds will go to community-based organizations to support work to create or preserve housing of the type they want in and is most appropriate for their communities based on their own assessment.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

No.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

No.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?

Please see Attachment A – 2023 Housing Levy Programs.



Legislation Text

File #: Res 32093, **Version:** 2

CITY OF SEATTLE

RESOLUTION _____

A RESOLUTION relating to low-income housing; accompanying an ordinance requesting the 2023 Housing Levy Renewal and providing further direction regarding reporting and implementation of the programs to be funded by such levy and other housing funds.

WHEREAS, since 1981 Seattle voters have approved six ballot measures to provide affordable housing for low-income residents; and

WHEREAS, the Office of Housing (OH) strives to affirmatively further fair housing for the City of Seattle, increase and preserve the supply of affordable homes, and ensure access to safe, healthy housing for residents living with very low incomes and residents experiencing homelessness; and

WHEREAS, all of the prior housing levy measures have met or exceeded established production goals for units developed and households assisted; and

WHEREAS, the *Market Rate Housing Needs and Supply Analysis* conducted by the Office of Planning and Community Development in partnership with BERK Consulting in 2021 found that Seattle lacked approximately 29,710 safe, sanitary, and appropriate rental homes affordable to households earning 50 percent or less of area median income (AMI); and

WHEREAS, the King County Growth Management Planning Council projects that Seattle will need approximately 70,726 more housing units, including roughly 15,024 units of permanent supportive housing (PSH), to meet the needs of residents with incomes at or below 80 percent of AMI by 2044; and

WHEREAS, in an effort to meet the need for affordable housing, the Mayor proposes an approximately \$970

million, seven-year low-income housing levy (“2023 Housing Levy”); and

WHEREAS, social equity has been one of the core values guiding The City of Seattle’s (“City”)

Comprehensive Plan since its adoption in 1994, and the displacement of longtime residents and community anchors undermines the City’s commitment to equity; and

WHEREAS, the City recognizes that housing instability and displacement have negative impacts on the health and well-being of families and individuals; and

WHEREAS, the purchase of buildings serving households at or below 60 percent of AMI will preserve affordable housing units that would otherwise be lost from the City’s affordable housing stock; and

WHEREAS, data from the United States Department of Housing and Urban Development’s (HUD) Comprehensive Housing Affordability Strategy (CHAS) data for 2015-2019 estimates show that Black, Native, and Hispanic/Latin(a)(o)(x) residents of Seattle have homeownership rates of approximately 25 percent, whereas the average for all Seattle residents is over 46 percent; and

WHEREAS, the City has expressed a desire to support the creation of more affordable housing developed by organizations that are led by and primarily serve residents who are Black, Indigenous, and other people of color (BIPOC), address disproportionate burdens faced by BIPOC residents and others in the housing market, and create communities that are inclusive and culturally responsive; and

WHEREAS, the 2023 Housing Levy provides the opportunity to implement innovative anti-displacement strategies; and

WHEREAS, it is important to the City to develop and support career opportunities in the human services, housing, and construction industries, particularly for women and people of color who often face disproportionate unemployment and barriers to higher-paying career opportunities; and

WHEREAS, according to the study *Wage Equity for Non-Profit Human Services Workers*, conducted by students and faculty of the University of Washington School of Social Work in 2023 in partnership with the City’s Human Services Department, Washington State workers in non-profit human services fields

have median annual pay that is 37 percent less than workers in non-care industries; and

WHEREAS, according to the same wage equity study, women and Black people in King County are disproportionately employed in human services fields, with women comprising 79 percent of the human services workforce compared with 39 percent in non-care fields, and Black people comprising 13 percent of the human services workforce compared with five percent in non-care fields; and

WHEREAS, operators of PSH face workforce shortages and, according to an internal analysis conducted by OH, currently operate with open position rates of approximately 20 percent, which is harmful to both the workforce and the residents they serve; and

WHEREAS, OH aims to stabilize on-site services and operations of supportive and affordable housing, to support continuity of care for residents and adequate compensation for essential workers providing support in City-funded buildings; and

WHEREAS, union representation has important benefits for workers, particularly for workers of color, including better pay, benefits, working conditions, and job security; and

WHEREAS, the Department of Finance and Administrative Services (FAS) executed Ordinance 125368 in 2017 for the City's Priority Hire program; and

WHEREAS, in 2018, OH and FAS executed an amendment to the City's community workforce agreement (CWA) to be included in the PSH project on City-owned property at 2nd and Mercer ("K-Site"); and

WHEREAS, pursuant to Ordinance 125852 an assessment report for the outcomes of the 2nd and Mercer CWA was required and was published in 2022; and

WHEREAS, OH engaged with, and incorporated feedback from local providers and developers, labor partners, the Housing Development Consortium, FAS, and the City Council throughout the production of the assessment report to ensure impacts and outcomes of the CWA were adequately captured; and

WHEREAS, the assessment of the 2nd and Mercer CWA identified impacts on apprenticeship utilization, rates of hours worked by women, and utilization of woman- and minority-owned businesses (WMBE); and

WHEREAS, OH aims to strengthen its partnership with labor partners and affordable housing providers, while continuing to support the production of high-quality affordable housing at a scale responsive to Seattle’s ongoing housing and homelessness crisis; and

WHEREAS, OH seeks to collect more information on the impact of CWAs on affordable housing projects; and

WHEREAS, OH and FAS will evaluate affordable housing projects with CWAs for labor equity outcomes, such as BIPOC and woman member representation, as well as subcontractor diversity; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR CONCURRING, THAT:

Section 1. The Mayor has submitted Council Bill 120584 to the City Council, to place a proposition to authorize a seven-year, approximately \$970 million low-income housing levy (“2023 Housing Levy”) on the ballot in November 2023. The intended uses of levy funds are described in Attachment 1 to Council Bill 120584. This resolution details certain activities the Executive will complete to assure successful implementation of the programs to be funded by the 2023 Housing Levy, if the ballot measure is approved by the voters.

Section 2. The Office of Housing (OH) has a goal of confronting the inequities at the intersection of our work with tenants, housing sponsors led by Black, Indigenous, and other people of color, housing operations and services workforce, and construction labor. OH will further explore expanding its responsibility as a steward of public funds for housing and economic justice.

Section 3. OH, with the assistance of City Council staff, the City Budget Office, and other relevant Executive departments, shall develop an Administrative and Financial Plan (“A&F Plan”) for the 2023 Housing Levy. OH should submit the A&F Plan to the City Council’s Finance & Housing Committee or successor committee, in the second quarter of 2024 for consideration and adoption by ordinance. The A&F Plan shall be consistent with the program descriptions and affordability levels established in Council Bill 120584.

In preparing the A&F Plan for submittal to the City Council, OH is requested to develop policies and

guidelines for the following programs and activities:

- Rental Production and Preservation
- Operating, Maintenance, and Services (OMS) and OMS Stabilization
- Homeownership
- Prevention and Housing Stabilization
- Acquisition and Preservation

OH will submit a proposed A&F Plan and Housing Funding Policies that includes the following specific policies:

A. Efforts will be made to encourage the geographic distribution of low-income housing developed with 2023 Housing Levy programs throughout Seattle, with a focus on areas with a high risk of displacement and underserved by previous affordable housing development.

B. OH will continue work with community partners and affordable housing developers to explore how housing investments can complement broader community development goals including, but not limited to, affordable commercial space, and for uses necessary to meet residents' everyday needs such as commercial or non-profit groceries, childcare, health services, fresh, healthy food merchants, home goods, cultural anchors, and other desired community services. OH is requested to work with the Office of Economic Development (OED), the Office of Planning and Community Development (OPCD), and Department of Early Learning and Education (DEEL) to facilitate and coordinate different funding sources and requirements of such mixed-use projects.

C. OH will continue work with providers of affordable housing to explore the needs they are experiencing on site, and to examine the scope, definition, and funding of resident services in affordable housing, with a competitive funding process anticipated in 2024. OH is requested to submit a report to the City Council on how the providers spent the funding, particularly as it relates to wages and other items including

total spending (across all funding sources), need, and metrics that demonstrate the impact to programs and residents. OH is requested to use this information in the development of 2023 Housing Levy A&F Plan policies that will guide the funding included in the Levy for non-PSH housing providers and to include this same information in the annual Levy report and the Housing Investment report.

D. OH will continue work with permanent supportive housing (PSH) providers on implementation of the PSH OMS Workforce Stabilization Fund, which was launched in 2023 with \$25 million of JumpStart/Payroll Expense Tax funds. Funds are allocated by formula to PSH providers proportional to the number of PSH apartments they operate, which reflects the number of staff employed. It is the goal for this fund to primarily support increases in worker wages and workforce stabilization, while also supporting other operating and maintenance needs occurring in PSH. OH will continue to review and analyze impacts through early implementation and make program, policy, and funding adjustments as needed. In addition, OH will develop specific reporting and performance measures such as worker retention or turnover, employee vacancy rate, wage rates paid over time to specific positions, etc., that track impacts of the funding provided to ensure that the intended goal of reducing vacancies and turnover at such projects is being achieved. PSH housing providers shall provide this information on an annual basis. This information shall be included in the annual 2023 Housing Levy report.

E. At the end of each calendar year, OH will calculate investment earnings on the 2023 Housing Levy Rental Production and Preservation (RPP) Program fund balance. OH may allocate such earnings to support predevelopment costs for projects developed by small, community-based non-profit housing developers who have barriers to accessing other sources of pre-development funding. Any unused portion of this funding may be retained in the RPP Program or proposed for use for other 2023 Housing Levy programs, if the need arises.

F. OH, as part of the annual City budget process, will provide information on proposed expenditures of Levy administrative funds for the upcoming year, relative to available revenues. This annual review will ensure funds designated for administrative costs are needed and that there are no surplus funds that could be re-

directed to other Levy-funded programs.

G. Priorities for the RPP Program include, but are not limited to: (1) support for project sponsors working to address housing inequities through connections with Black, Indigenous, and other communities of color and other historically excluded from equitable access to housing; and (2) development of family-sized units utilizing City-owned or publicly owned land and other incentives to reduce costs of such units.

H. Funds for affordable homeownership opportunities may be used to serve households with incomes at or below 80 percent of AMI, with a focus on those at risk of displacement from their communities or who have faced barriers to equitably accessing homeownership in all parts of Seattle due to past discriminatory policies and practices, such as redlining, mortgage lending discrimination, or restrictive racial covenants. In addition, OH will encourage the development of family-sized units, utilizing City-owned or publicly owned land and other incentives to reduce the cost of such units.

I. As part of the development of policies for the homelessness prevention program, OH will explore the length of time rental assistance is provided by the program and consider whether a period longer than 12 months should be authorized to ensure that families and individuals achieve housing stability.

J. Together, OH and the Department of Finance and Administrative Services (FAS) shall work with the affordable housing community and labor partners to create an amendment to the City's CWA that establishes criteria specific to affordable housing projects funded by OH, with a focus on projects on City-owned sites. This will require collaborative relationship building where goals of OH, FAS, the affordable housing community, and labor partners are understood and honored.

K. It is anticipated that CWAs will be applied to between four and six OH-funded new rental construction projects and OH will prioritize work on these projects early in the 2023 Housing Levy period. OH will pursue CWAs for additional projects pending review of project data and analysis.

L. Quantitative and qualitative analysis will be performed by a neutral third-party to compare CWA and equivalent non-CWA projects. The following labor equity goals and other measures are anticipated to be

tracked and reported as part of this analysis:

- Apprenticeship utilization for all labor hours
- Pre-apprenticeship graduates working on the projects
- Priority Hire utilization
- Gender, race, and ethnicity for both journey-level workers and apprentices
- Workers receiving health care and/or retirement benefits on the projects - with analysis of worker benefit eligibility after project completion
- WMBE subcontractors
- Number of bids (both prime and subcontractors)
- Cost per unit and impacts on unit production
- Residential and commercial wages paid
- Construction timelines
- Other metrics as appropriate

CWA projects are anticipated to have labor equity and equity goals for the following activities:

- Apprenticeship utilization
- Priority Hire utilization
- Diverse worker representation for Black, Indigenous, and other workers of color and women
- WMBE utilization

M. The City and labor partners understand and acknowledge that Seattle faces an affordable housing and homelessness crisis and that the City must produce as many units of high-quality affordable housing as quickly and safely as possible, while also promoting labor equity. Labor partners are committing to ensure sufficient diverse journey-level workers and apprentice hires will be available through the hiring hall and

apprenticeship programs for affordable housing projects with CWAs. OH and labor partners understand it is complex to meet these goals and will work in partnership with contractors and other key partners to address any challenges or barriers.

N. OH and FAS shall work in partnership to implement the CWA and related FAS monitoring and FAS enforcement. Additional resources are provided by OH administration funds to support increased monitoring and enforcement.

O. OH shall report to Council the results of this work on CWAs and submit proposed updates to the City's Housing Funding Policies to incorporate additional labor equity provisions.

Section 4. OH is requested to submit proposed Housing Funding Policies that include the following specific policies:

A. OH will establish a goal for the acquisition of buildings that would apply to all housing revenue sources, including, but not limited to, the 2023 Housing Levy. The proposed goal would be included in the City's Housing Funding Policies. Acquisitions covered by this goal would include: affordable, unsubsidized housing and/or land owned by private, for-profit entities; and newly constructed buildings available for purchase from private, for-profit entities. In addition, one of the stated priorities for this program would include a focus on the acquisition of buildings in areas at high risk for displacement and areas underserved by previous affordable housing development. OH will explore the need for additional staff or consultants to operationalize this effort.

B. OH will work with housing providers to encourage participation in the Housing Connector Program, when appropriate.

C. OH is requested to develop a formal program that seeks to preserve existing City-funded affordable housing projects that are coming to the end of the mandated affordability requirements. The goal of this program would be to preserve as many of these projects as possible as long-term affordable housing. The proposed program would be included in the City's Housing Funding Policies. The program would include the

following elements:

- Establish formal process for tracking when affordability requirements on City-funded projects will end;
- Conduct outreach to housing providers in advance of lapsing affordability requirements to explore how and whether OH can support the provider to extend the affordability requirements;
- Develop a package of options that could be offered to providers of such buildings that could support the continuation of affordability requirements; and
- Conduct outreach to tenants of such buildings in advance of lapsing affordability requirements about the status of the building, assistance and support for potential tenant purchase, and relocation assistance in the event affordability requirements will cease.

In addition, OH is requested to consider whether a set-aside of funding, beyond what is provided in the proposed preservation program, could be made available to support housing providers who agree to extend affordability requirements. Such funding could be used for deferred maintenance and capital needs.

D. OH will collect vacancy information no less frequently than annually from City-funded projects, will assess such vacancy data, and will make it available to the King County Regional Homelessness Authority. With a goal of assisting in minimizing vacancies, assessment by OH may include relevant trends following the COVID pandemic that may warrant further support for providers beyond the workforce stabilization and resident services included in the 2023 Housing Levy, which are anticipated to help address issues related to vacancies such as staff turnover and maintenance needs. OH will report to the City Council on the data and identify trends or issues warranting policy modifications or support beyond what is proposed to be funded by the 2023 Housing Levy.

E. OH will explore the need for additional housing for people in recovery from drug and alcohol addiction who need to live in a substance-free environment to maintain their recovery.

Section 5. OH shall submit a progress report to the Mayor and the City Council by June 30 every year.

The report will include: information about progress in meeting 2023 Housing Levy program goals; details about projects awarded Levy investment; and information about those served by Levy programs.

Adopted by the City Council the _____ day of _____, 2023, and signed by me in open session in authentication of its adoption this _____ day of _____, 2023.

President _____ of the City Council

The Mayor concurred the _____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Anne Frantilla, Interim City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact:	CBO Contact:
Office of Housing	Kelli Larsen	Nick Tucker

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: A RESOLUTION relating to low-income housing; accompanying an ordinance requesting the 2023 Housing Levy Renewal and providing further direction regarding reporting and implementation of the programs to be funded by such levy and other housing funds.

Summary and Background of the Legislation: The Mayor has submitted Council Bill **XXXXXX** to the City Council to place a proposition to authorize a seven-year approximately \$970 million low-income housing levy on the ballot in November 2023. If the bill is approved by City Council and the Levy measure is approved by the voters, the Executive will submit to the City Council for approval a new Levy Administrative and Financial Plan (A & F Plan) and Housing Funding Policies that provide guidance for all OH investments and program areas. This Resolution provides additional information and guidance about policy and programmatic work to ensure the successful implementation of the Housing Levy and other fund sources administered by OH.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?
No.

Are there financial costs or other impacts of *not* implementing the legislation?
Provisions regarding 2023 Housing Levy programs, the Operating, Maintenance, and Services and Workforce Stabilization Fund, the use of Community Workforce Agreements, the Administrative and Financial Plan, and reporting requirements are specified in the Resolution. The Resolution provides detail and clarity for these notable provisions.

4. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department?**
The Resolution requires the Department of Finance and Administrative Services to collaborate with the Office of Housing to implement future Community Workforce Agreements and other data collection and analysis related to this work.
- b. Is a public hearing required for this legislation?**
No.
- c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.
- d. Does this legislation affect a piece of property?**
No.
- e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**
The Operating, Maintenance, and Services Workforce Stabilization Fund is intended to support increased wages and workforce stability for staff who work in Permanent Supportive Housing. These workers are more likely to be women and BIPOC and are paid less on average than workers in other fields. The Community Workforce Agreement provisions specify the inclusion of labor equity goals as we collaborate to construct new projects. Finally, the new Administrative and Financial Plan for the 2023 Housing Levy will present an opportunity to implement innovative anti-displacement strategies.
- f. Climate Change Implications**
- 1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**
No.
 - 2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**
No.
- g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?**
The Office of Housing will work collaboratively with housing providers, developers, labor, other City departments, and other key partners to assess impacts for workers, residents, and project costs. OH will continue refining data collection and reporting requirements to inform subsequent decision making. The Levy Administrative and Financial Plan and Housing Funding Policies will provide additional detail on these goals and reporting requirements.



Legislation Text

File #: CB 120585, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE granting King County Department of Natural Resources and Parks, Wastewater Treatment Division permission to construct, maintain, and operate a transformer and retaining wall at 63rd Avenue Southwest, intersecting with Beach Drive Southwest and Southwest Spokane Street, for an unlimited term; specifying the conditions under which this permit is granted; and providing for the acceptance of the permit and conditions.

WHEREAS, King County Department of Natural Resources and Parks, Wastewater Treatment Division applied for permission to construct, operate, and maintain a transformer and retaining wall in 63rd Avenue Southwest, intersecting with Beach Drive Southwest and Southwest Spokane Street, in the West Seattle neighborhood (“Transformer”); and

WHEREAS, the purpose of the Transformer is to support the construction of a high-capacity generator to ensure consistent power for the Alki Wet Weather Treatment Facility and the 63rd Avenue Pump Station in the event of a power outage, preventing a cease in operations resulting in raw wastewater overflow; and

WHEREAS, the obligations of the ordinance remain in effect after the ordinance term expires until the encroachment is removed, or King County Department of Natural Resources and Parks, Wastewater Treatment Division is relieved of the obligations by the Seattle Department of Transportation Director, or the Seattle City Council passes a new ordinance to renew the permission granted; and

WHEREAS, the Seattle City Council adopted Resolution 32079 on February 14, 2023, conceptually approving the Transformer, and the King County Department of Natural Resources and Parks, Wastewater Treatment Division has met the obligations described in this resolution; and

WHEREAS, the adoption of this ordinance is the culmination of the approval process for the Transformer to legally occupy a portion of the public right-of-way, and the adopted ordinance is considered to be the permit; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. **Permission.** Subject to the terms and conditions of this ordinance, the City of Seattle (“City”) grants permission (also referred to in this ordinance as a permit) to King County Department of Natural Resources and Parks, Wastewater Treatment Division, and its successors and assigns as approved by the Director of the Seattle Department of Transportation (“Director”) according to Section 14 of this ordinance (the party named above and each such approved successor and assign is referred to as the “Permittee”), to construct, maintain, and operate a transformer and retaining wall in 63rd Avenue Southwest, intersecting with Beach Drive Southwest and Southwest Spokane Street, (collectively referred to as “Transformer”), adjacent in whole or in part to the property legally described as:

Portion of Tracts 22, 23, and 24, Plat of Alki Point, as recorded in Volume 8 of Plats, page 19, in King County, Washington, and of vacated 65th Avenue Southwest and of the vacated alleys in said Tracts 22 and 23 described as follows

Beginning at the intersection of the northeasterly margin of Beach Drive Southwest and the east margin of Benton Place Southwest.
thence North 1°11’ 24” East along said east margin 202 40 feet to the property line of the Alki Sewage Treatment Plant, thence South 88°48’36” East along said sewage plant property line to a line 65 feet west of and parallel with the north and south center line of said Tract 23,
thence north along the last described parallel line to the south margin of Southwest Hanford Street, thence east along said south margin to the west line of the east 8 feet of the west one-half of said Tract 24,
thence south along said west line to the north margin of Southwest Hinds Street,
thence west along said north margin to the north and south center line of said Tract 23,
thence south along said center line to the northeasterly margin of Beach Drive Southwest,
thence North 52°09’52” West along said northeasterly margin of the east margin of Benton Place Southwest and the beginning.

EXCEPT portion of said Tracts 22 and 23 described as follows

Beginning at the intersection of the northeasterly margin of Beach Drive Southwest and the east margin of Benton Place Southwest,
thence North 1°11’24” East along said east margin 202 40 feet to the property line of the Alki Sewage Treatment Plant,

thence South 88°48'36" East along said sewage treatment plant property line 135 22 feet to the True Point of Beginning,
thence South 37°50'09" West 39 62 feet,
thence South 52°09'51" East 59 93 feet,
thence North 37°50'09" East 46 92 feet,
thence North 52°09'51" West 50 13 feet to said sewage treatment plant property line,
thence North 88°48'36" West along said sewage treatment plant property line 12 21 feet to the True Point of Beginning,

AND EXCEPT portion of said Tracts 23 and 24, and vacated 65th Avenue Southwest and the vacated alley in said Tract 23 for playground, described as follows

Beginning at the intersection of the south margin of Southwest Hanford Street and the west line of the east 8 feet of the west one-half of said Tract 24,
thence south along said west line to the north margin of Southwest Hinds Street,
thence west along said north margin to a line 90 feet east of and parallel with the north and south center line of said Tract 23,
thence north along the last described parallel line to a line 280 feet northeasterly of and parallel with the northeasterly margin of Beach Drive Southwest,
thence northwesterly along the last described parallel line to a line 65 feet west of and parallel with the north and south center line of said Tract 23,
thence north along said parallel line to the south margin of Southwest Hanford Street,
thence east along said south margin to the west line of the east 8 feet of the west one-half of said Tract 24 and the beginning.

Section 2. **Term.** The permission granted to the Permittee to construct, maintain, and operate the Transformer under this ordinance shall continue for so long as King County Department of Natural Resources and Parks, Wastewater Treatment Division operates the Alki Wet Weather Treatment Facility and the 63rd Avenue Pump Station. The permission is subject to the right of the City to require the removal of the Transformer for city transportation purposes or to revise by ordinance any of the terms and conditions of the permission granted by this ordinance.

Section 3. **Protection of utilities.** The permission granted is subject to the Permittee bearing the expense of any protection, support, or relocation of existing utilities deemed necessary by the owners of the utilities, and the Permittee being responsible for any damage to the utilities due to the construction, repair, reconstruction, maintenance, operation, or removal of the Transformer and for any consequential damages that may result from any damage to utilities or interruption in service caused by any of the foregoing.

Section 4. **Removal for public use or for cause.** The permission granted is subject to use of the street right-of-way or other public place (collectively referred to as “public place”) by the City and the public for travel, utility purposes, and other public uses or benefits. The City expressly reserves the right to deny renewal, or terminate the permission at any time before expiration of the initial term or any renewal term, and require the Permittee to remove the Transformer or any part thereof or installation on the public place, at the Permittee’s sole cost and expense if:

A. The City Council determines by ordinance that the space occupied by the Transformer is necessary for any public use or benefit or that the Transformer interferes with any public use or benefit; or

B. The Director determines that use of the Transformer has been abandoned; or

C. The Director determines that any term or condition of this ordinance has been violated, and the violation has not been corrected by the Permittee by the compliance date after a written request by the City to correct the violation (unless a notice to correct is not required due to an immediate threat to the health or safety of the public).

A City Council determination that the space is needed for, or the Transformer interferes with, a public use or benefit is conclusive and final without any right of the Permittee to resort to the courts to adjudicate the matter.

Section 5. **Permittee’s obligation to remove and restore.** If the City terminates the permission, then within 90 days after the expiration or termination of the permission, or prior to any earlier date stated in an ordinance or order requiring removal of the Transformer, the Permittee shall, at its own expense, remove the Transformer and all of the Permittee’s equipment and property from the public place and replace and restore all portions of the public place that may have been disturbed for any part of the Transformer in as good condition for public use as existed prior to constructing the Transformer, and in at least as good condition in all respects as the abutting portions of the public place as required by Seattle Department of Transportation (SDOT) right-of-way restoration standards.

Failure to remove the Transformer as required by this section is a violation of Chapter 15.90 of the Seattle Municipal Code (SMC) or successor provision; however, applicability of Chapter 15.90 does not eliminate any remedies available to the City under this ordinance or any other authority. If the Permittee does not timely fulfill its obligations under this section, the City may in its sole discretion remove the Transformer and restore the public place at the Permittee's expense and collect such expense in any manner provided by law.

Upon the Permittee's completion of removal and restoration in accordance with this section, or upon the City's completion of the removal and restoration and the Permittee's payment to the City for the City's removal and restoration costs, the Director shall issue a certification that the Permittee has fulfilled its removal and restoration obligations under this ordinance. Upon prior notice to the Permittee and entry of written findings that it is in the public interest, the Director may, in the Director's sole discretion, conditionally or absolutely excuse the Permittee from compliance with all or any of the Permittee's obligations under this section.

Section 6. **Repair or reconstruction.** The Transformer shall remain the exclusive responsibility of the Permittee and the Permittee shall maintain the Transformer in good and safe condition for the protection of the public. The Permittee shall not reconstruct or repair the Transformer except in strict accordance with plans and specifications approved by the Director. The Director may, in the Director's judgment, order the Transformer reconstructed or repaired at the Permittee's cost and expense because of the deterioration or unsafe condition of the Transformer; because of the installation, construction, reconstruction, maintenance, operation, or repair of any municipally-owned public utilities; or for any other cause that gives rise to public health or safety concerns.

Section 7. **Failure to correct unsafe condition.** After written notice to the Permittee and failure of the Permittee to correct an unsafe condition within the time stated in the notice, the Director may order the Transformer be closed or removed at the Permittee's expense if the Director deems that the Transformer has become unsafe or creates a risk of injury to the public. If there is an immediate threat to the health or safety of the public, a notice to correct is not required.

Section 8. **Continuing obligations.** Notwithstanding the termination or expiration of the permission

granted, or removal of the Transformer, the Permittee shall remain bound by all of its obligations under this ordinance until the Director has issued a certification that the Permittee has fulfilled any removal and restoration obligations established by the City. Notwithstanding the issuance of that certification, the Permittee shall continue to be bound by the obligations in Section 9 and Section 20 of this ordinance and shall remain liable for any unpaid fees assessed under Sections 15 and 17 of this ordinance.

Section 9. **Release, hold harmless, indemnification, and duty to defend.** The Permittee, by accepting the terms of this ordinance, releases the City, its officials, officers, employees, and agents from any and all claims, actions, suits, liability, loss, costs, expense, attorneys' fees, or damages of every kind and description arising out of or by reason of the Transformer, or this ordinance, including but not limited to claims resulting from injury, damage, or loss to the Permittee or the Permittee's property.

The Permittee agrees to at all times defend, indemnify, and hold harmless the City, its officials, officers, employees, and agents from and against all claims, actions, suits, liability, loss, costs, expense, attorneys' fees, or damages of every kind and description, excepting only damages that may result from the sole negligence of the City, that may accrue to, be asserted by, or be suffered by any person or property including, without limitation, damage, death or injury to members of the public or to the Permittee's officers, agents, employees, contractors, invitees, tenants, tenants' invitees, licensees, or successors and assigns, arising out of or by reason of:

A. The existence, condition, construction, reconstruction, modification, maintenance, operation, use, or removal of the Transformer or any portion thereof, or the use, occupation, or restoration of the public place or any portion thereof by the Permittee or any other person or entity;

B. Anything that has been done or may at any time be done by the Permittee by reason of this ordinance; or

C. The Permittee failing or refusing to strictly comply with every provision of this ordinance; or arising out of or by reason of the Transformer, or this ordinance in any other way.

If any suit, action, or claim of the nature described above is filed, instituted, or begun against the City, the Permittee shall upon notice from the City defend the City, with counsel acceptable to the City, at the sole cost and expense of the Permittee, and if a judgment is rendered against the City in any suit or action, the Permittee shall fully satisfy the judgment within 90 days after the action or suit has been finally determined, if determined adversely to the City. If it is determined by a court of competent jurisdiction that Revised Code of Washington (RCW) 4.24.115 applies to this ordinance, then in the event claims or damages are caused by or result from the concurrent negligence of the City, its agents, contractors, or employees, and the Permittee, its agents, contractors, or employees, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Permittee or the Permittee's agents, contractors, or employees.

Section 10. **Insurance.** For as long as the Permittee exercises any permission granted by this ordinance and until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance, the Permittee shall obtain and maintain in full force and effect, at its own expense, insurance and/or self-insurance that protects the Permittee and the City from claims and risks of loss from perils that can be insured against under commercial general liability (CGL) insurance policies in conjunction with:

A. Construction, reconstruction, modification, operation, maintenance, use, existence, or removal of the Transformer or any portion thereof, as well as restoration of any disturbed areas of the public place in connection with removal of the Transformer;

B. The Permittee's activity upon or the use or occupation of the public place described in Section 1 of this ordinance; and

C. Claims and risks in connection with activities performed by the Permittee by virtue of the permission granted by this ordinance.

Minimum insurance requirements are CGL insurance written on an occurrence form at least as broad as the Insurance Services Office (ISO) CG 00 01. The City requires insurance coverage to be placed with an insurer

admitted and licensed to conduct business in Washington State or with a surplus lines carrier pursuant to chapter 48.15 RCW. If coverage is placed with any other insurer or is partially or wholly self-insured, such insurer(s) or self-insurance is subject to approval by the City's Risk Manager.

Minimum limits of liability shall be \$5,000,000 per Occurrence; \$10,000,000 General Aggregate; \$5,000,000 Products/Completed Operations Aggregate, including Premises Operations; Personal/Advertising Injury; Contractual Liability. Coverage shall include the "City of Seattle, its officers, officials, employees and agents" as additional insureds for primary and non-contributory limits of liability subject to a Separation of Insureds clause.

Within 60 days after the effective date of this ordinance, the Permittee shall provide to the City, or cause to be provided, certification of insurance coverage including an actual copy of the blanket or designated additional insured policy provision per the ISO CG 20 12 endorsement or equivalent. The insurance coverage certification shall be delivered or sent to the Director or to SDOT at an address as the Director may specify in writing from time to time. The Permittee shall provide a certified complete copy of the insurance policy to the City promptly upon request.

If the Permittee is self-insured, a letter of certification from the Corporate Risk Manager may be submitted in lieu of the insurance coverage certification required by this ordinance, if approved in writing by the City's Risk Manager. The letter of certification must provide all information required by the City's Risk Manager and document, to the satisfaction of the City's Risk Manager, that self-insurance equivalent to the insurance requirements of this ordinance is in force. After a self-insurance certification is approved, the City may from time to time subsequently require updated or additional information. The approved self-insured Permittee must provide 30 days' prior notice of any cancellation or material adverse financial condition of its self-insurance program. The City may at any time revoke approval of self-insurance and require the Permittee to obtain and maintain insurance as specified in this ordinance.

In the event that the Permittee assigns or transfers the permission granted by this ordinance, the

Permittee shall maintain in effect the insurance required under this section until the Director has approved the assignment or transfer pursuant to Section 14 of this ordinance.

Section 11. **Contractor insurance.** The Permittee shall contractually require that any and all of its contractors performing work on any premises contemplated by this permit name the “City of Seattle, its officers, officials, employees and agents” as additional insureds for primary and non-contributory limits of liability on all CGL, Automobile and Pollution liability insurance and/or self-insurance. The Permittee shall also include in all contract documents with its contractors a third-party beneficiary provision extending to the City construction indemnities and warranties granted to the Permittee.

Section 12. **Performance bond.** In the event that the Permittee seeks to assign or transfer the permission granted by this ordinance, the Director, in consultation with the City Attorney’s Office, may determine that a performance bond is necessary to adequately protect the City’s interests, in which case the successor entity shall deliver to the Director for filing with the City Clerk, as a condition of approval of the assignment or transfer within 60 days of notification of such determination, a sufficient bond executed by a surety company authorized and qualified to do business in the State of Washington that is in the amount determined by the Director in consultation with the City Attorney’s Office, and conditioned with a requirement that the successor entity shall comply with every provision of this ordinance and with every order the Director issues under this ordinance. The successor entity shall ensure that the bond remains in effect until the Director has issued a certification that the successor entity has fulfilled its removal and restoration obligations under Section 5 of this ordinance. An irrevocable letter of credit approved by the SDOT Director in consultation with the City Attorney’s Office may be substituted for the bond.

Section 13. **Adjustment of insurance and bond requirements.** The Director may adjust minimum liability insurance levels and surety bond requirements during the term of this permission. If the Director determines that an adjustment is necessary to fully protect the interests of the City, the Director shall notify the Permittee of the new requirements in writing. The Permittee shall, within 60 days of the date of the notice,

provide proof of the adjusted insurance and surety bond levels to the Director.

Section 14. **Consent for and conditions of assignment or transfer.** When the Property is transferred, the permission granted by this ordinance shall be assignable and transferable by operation of law pursuant to Section 20 of this ordinance. Continued occupation of the right-of-way constitutes the Permittee's acceptance of the terms of this ordinance, and the new owner of the Property shall be conferred with the rights and obligations of the Permittee by this ordinance. Other than a transfer to a new owner of the Property, the Permittee shall not transfer, assign, mortgage, pledge or encumber the same without the Director's consent, which the Director shall not unreasonably refuse or condition. The Director may approve assignment or transfer of the permission granted by this ordinance to a successor entity only if the successor or assignee has provided, at the time of the assignment or transfer, the bond and certification of insurance coverage required under this ordinance; and has paid any fees due under Sections 15 and 17 of this ordinance. Upon the Director's approval of an assignment or transfer, the rights and obligations conferred on the Permittee by this ordinance shall be conferred on the successors and assigns. Any person or entity seeking approval for an assignment or transfer of the permission granted by this ordinance shall provide the Director with a description of the current and anticipated use of the Transformer.

The obligations and conditions imposed on the Permittee by and through this ordinance are also imposed on the Permittee's successors and assigns regardless of whether the Director has approved assignment or transfer of the permission granted by this ordinance to the successors or assigns. All references in this ordinance to obligations or conditions imposed on the "Permittee" shall also be deemed to refer to the Permittee's successors and assigns.

Section 15. **Inspection fees.** The Permittee shall, as provided by SMC Chapter 15.76 or successor provision, pay the City the amounts charged by the City to inspect the Transformer during construction, reconstruction, repair, annual safety inspections, and at other times deemed necessary by the City. An inspection or approval of the Transformer by the City shall not be construed as a representation, warranty, or

assurance to the Permittee or any other person as to the safety, soundness, or condition of the Transformer. Any failure by the City to require correction of any defect or condition shall not in any way limit the responsibility or liability of the Permittee.

Section 16. **Inspection reports.** The Permittee shall submit to the Director, or to SDOT at an address specified by the Director, an inspection report that:

- A. Describes the physical dimensions and condition of all load-bearing elements in the Transformer;
- B. Describes any damages or possible repairs to any element of the Transformer;
- C. Prioritizes all repairs and establishes a timeframe for making repairs; and
- D. Is stamped by a professional structural engineer licensed in the State of Washington.

A report meeting the foregoing requirements shall be submitted at the request of the Director. In the event of a natural disaster or other event that may have damaged the Transformer, the Director may require that additional reports be submitted by a date established by the Director. The Permittee has the duty of inspecting and maintaining the Transformer. The responsibility to submit structural inspection reports periodically or as required by the Director does not waive or alter any of the Permittee's other obligations under this ordinance. The receipt of any reports by the Director shall not create any duties on the part of the Director. Any failure by the Director to require a report, or to require action after receipt of any report, shall not waive or limit the Permittee's obligations.

Section 17. **Annual fee.** Beginning on the effective date of this ordinance the Permittee shall pay an Issuance Fee, and annually thereafter, the Permittee shall promptly pay to the City, upon statements or invoices issued by the Director, an Annual Renewal Fee, and an Annual Use and Occupation fee of \$1,686, or as adjusted annually thereafter, for the privileges granted by this ordinance for the Transformer.

Adjustments to the Annual Use and Occupation Fee shall be made in accordance with a term permit fee schedule adopted by the City Council and may be made every year. In the absence of a schedule, the Director may only increase or decrease the previous year's fee to reflect any inflationary changes so as to charge the fee

in constant dollar terms. This adjustment will be calculated by adjusting the previous year's fee by the percentage change between the two most recent year-end values available for the Consumer Price Index for the Seattle-Tacoma-Bellevue Area, All Urban Consumers, All Products, Not Seasonally Adjusted. Permittee shall pay any other applicable fees, including fees for reviewing applications to renew the permit after expiration of the first term. All payments shall be made to the City Finance Director for credit to the Transportation Fund.

Section 18. Compliance with other laws. The Permittee shall construct, maintain, and operate the Transformer in compliance with all applicable federal, state, County and City laws and regulations. Without limitation, in all matters pertaining to the Transformer, the Permittee shall comply with the City's laws prohibiting discrimination in employment and contracting including Seattle's Fair Employment Practices Ordinance, Chapter 14.04, and Fair Contracting Practices code, Chapter 14.10 (or successor provisions).

Section 19. Acceptance of terms and conditions. The Permittee shall not commence construction of the Transformer before providing evidence of insurance coverage required by Section 10 of this ordinance and the covenant agreement required by Section 20 of this ordinance. Obtaining building permits from the Seattle Department of Construction and Inspections, or other applicable City-issued permits, constitutes the Permittee's acceptance of the terms of this ordinance.

Section 20. Obligations run with the Property. The obligations and conditions imposed on the Permittee by this ordinance are covenants that run with the land and bind subsequent owners of the property adjacent to the Transformer and legally described in Section 1 of this ordinance (the "Property"), regardless of whether the Director has approved assignment or transfer of the permission granted herein to such subsequent owner(s). The Permittee shall, within 60 days of the effective date of this ordinance, and prior to conveying any interest in the Property, deliver to the Director upon a form to be supplied by the Director, a covenant agreement imposing the obligations and conditions set forth in this ordinance, signed and acknowledged by the Permittee and recorded with the King County Recorder's Office. The Director shall file the recorded covenant agreement with the City Clerk. The covenant agreement shall reference this ordinance by its ordinance number.

Section 21. **Section titles.** Section titles are for convenient reference only and do not modify or limit the text of a section.

Section 22. 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 _____, 2023, and signed by me in open session in authentication of its passage this _____ day of _____, 2023.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

_____, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact:	CBO Contact:
Seattle Department of Transportation	Amy Gray	Christie Parker

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE granting King County Department of Natural Resources and Parks, Wastewater Treatment Division permission to construct, maintain, and operate a transformer and retaining wall at 63rd Avenue Southwest, intersecting with Beach Drive Southwest and Southwest Spokane Street, for an unlimited term; specifying the conditions under which this permit is granted; and providing for the acceptance of the permit and conditions.

Summary and Background of the Legislation: This legislation allows King County to construct, maintain, and operate a transformer and retaining wall at 63rd Avenue Southwest, intersecting with Beach Drive Southwest and Southwest Spokane Street. The permission is granted for so long as King County operates the Alki Wet Weather Treatment Facility and the 63rd Avenue Pump Station.

King County is installing a high-capacity standby generator for both the Alki Wet Weather Treatment Station Facility and the 63rd Avenue Pump Station at 3535 Beach Drive Southwest. These facilities currently do not have full-time permanent back up power. The project involves trenching the transmission wires in Southwest Hinds Street, Southwest Wilton Court, 64th Avenue Southwest, and Beach Drive Southwest (approximately 0.25 miles). This requires the installation of two transformers to regulate voltage between the facilities and the subterranean duct bank. One transformer will be located at the Alki Wet Weather Treatment Station Facility. The transformer for the 63rd Avenue Pump Station Facility will be in right-of-way.

The Alki Wet Weather Treatment Station Facility is a combined sewer overflow (CSO) facility that operates only after heavy rainfall, and the 63rd Avenue Pump Station Facility sends flows to the Alki CSO in the event of heavy runoff.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

Appropriation change (\$):	General Fund \$		Other \$	
	2023	2024	2023	2024
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2023	2024	2023	2024
			\$1,686	TBD
Positions affected:	No. of Positions		Total FTE Change	
	2023	2024	2023	2024

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?
 No.

Are there financial costs or other impacts of *not* implementing the legislation?
 If the legislation is not enacted by City Council, the City of Seattle will not receive the 2023 fee of \$1,686 and future annual fees.

3.a. Appropriations

This legislation adds, changes, or deletes appropriations.

3.b. Revenues/Reimbursements

This legislation adds, changes, or deletes revenues or reimbursements.

Anticipated Revenue/Reimbursement Resulting from This Legislation:

Fund Name and Number	Dept	Revenue Source	2023 Revenue	2024 Estimated Revenue
Transportation Fund (13000)	SDOT	Annual Fee	\$1,686	TBD
TOTAL			\$1,686	TBD

Is this change one-time or ongoing?
 Ongoing.

Revenue/Reimbursement Notes:
 The 2023 fee is based on the 2023 assessed land value by King County.

3.c. Positions

This legislation adds, changes, or deletes positions.

4. OTHER IMPLICATIONS

- a. **Does this legislation affect any departments besides the originating department?**
No.
- b. **Is a public hearing required for this legislation?**
No.
- c. **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.
- d. **Does this legislation affect a piece of property?**
Yes, a map is attached to this Summary and Fiscal Note.
- e. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**
This legislation does not have any implications for the principles of the Race and Social Justice Initiative and does not impact vulnerable or historically disadvantaged communities.
- f. **Climate Change Implications**
- 1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**
No.
 - 2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle’s resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**
Yes, this project will provide standby power so that the wastewater treatment plant and the pump station can be running within a minute of any utility power outage, allowing high flows to be pumped and avoiding uncontrolled combined sewer overflows. Climate change is increasing the intensity and frequency of storms, and the storm season appears to be getting longer. King County anticipates that their facilities will see higher flows more often as the years progress. Standby power will greatly reduce uncontrolled combined sewer overflows due to power outages.
- g. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program’s desired goal(s)?**
N/A

Summary Attachments:

Summary Attachment A – King County Alki Transformer Area Map

Summary Attachment B – King County Alki Transformer Annual Fee Assessment Summary

King County Alki Transformer Area Map



Proposed transformer location



Map is for informational purposes only and is not intended to modify or supplement the legal description(s) in the Ordinance.

STREET USE ANNUAL FEE ASSESSMENT

Date: 2/10/2023

Summary:
Land Value: \$94/SF
2023 Permit Fee:
\$1,686

I. Property Description:

A proposed transformer and retaining wall in 63rd Avenue Southwest, intersecting with Beach Drive Southwest and Southwest Spokane Street. The transformer and retaining wall support the installation of a high-capacity standby generator at the Alki Wet Weather Treatment Facility and the 63rd Ave Pump Station. The total area is 300 square feet.

Applicant:

King County Department of Natural Resources and Parks, Wastewater Treatment Division

Abutting Parcels, Property Size, Assessed Value:

2023

Parcel 0375000035; Lot size: 4,200
Tax year 2023 Appraised Land Value \$722,000 (\$171.90/sq ft)

Parcel 1818800012; Lot size: 146,621
Tax year 2023 Appraised Land Value \$2,267,800 (\$15.47/sq ft)

II. Annual Fee Assessment:

The 2023 permit fee is calculated as follows:

$(\$93.68/\text{SF}) \times (300 \text{ SF}) \times (80\%) \times (7.5\%) = \boxed{\$1,686}$ where 80% is the degree of alienation for at-grade structures and 7.5% is the annual rate of return.

Fee methodology authorized under Ordinance 123485, as amended by Ordinances 123585, 123907, and 124532.