



Legislation Text

File #: CB 118641, Version: 1

CITY OF SEATTLE
ORDINANCE _____
COUNCIL BILL _____

AN ORDINANCE relating to funding for housing and community development programs; adopting The City of Seattle 2016 Annual Action Plan to the 2014 - 2017 Consolidated Plan for Housing and Community Development and authorizing its submission to the United States Department of Housing and Urban Development; authorizing acceptance of grant funds from that department for programs and activities included in the Annual Action Plan; amending Ordinance 124927, which adopted the 2016 Budget, by modifying appropriations to various departments and budget control levels in the 2016 Adopted Budget; and ratifying and confirming certain prior acts, all by a three-fourths vote of the City Council.

WHEREAS, the United States Department of Housing and Urban Development (HUD) has required each local jurisdiction seeking certain federal assistance to provide an annual action plan for its current Consolidated Plan for Housing and Community Development, which guides the allocation of funds from the Community Development Block Grant (CDBG) Program, HOME Investment Partnerships (“HOME”) Program, Emergency Solutions Grant (ESG) Program, and Housing Opportunities for Persons with AIDS (HOPWA) Program; and

WHEREAS, Ordinance 124496 adopted the City’s 2014 - 2017 Consolidated Plan for Housing and Community Development (“Consolidated Plan”); and

WHEREAS, the Mayor has proposed a 2016 Annual Action Plan (AAP) to the Consolidated Plan; and

WHEREAS, a draft version of the AAP was released for public review and comment in November 2015; and

WHEREAS, the AAP was developed with input from a number of publicly vetted needs assessments and policy documents, and the AAP will be available for public review and comment for 30 days prior to the passage of this ordinance; and

WHEREAS, the Mayor has proposed a one-time allocation of CDBG funds for eligible activities to support

small businesses affected by 23rd Avenue street construction that provide jobs for low- or moderate-income persons or provide services to low- or moderate-income neighborhoods; and

WHEREAS, Ordinance 124927 adopted the City's 2016 Annual Budget based upon assumptions about CDBG, HOME, ESG, and HOPWA grant amounts from HUD; and

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

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Seattle City Council adopts the 2016 Annual Action Plan to the 2014 - 2017 Consolidated Plan for Housing and Community Development ("AAP"), attached to this ordinance as Attachment A.

Section 2. The Mayor and the Director of Human Services ("Director") and their designees are authorized to submit the adopted AAP, together with any necessary supplementary material, to the United States Department of Housing and Urban Development (HUD) as the application by the City for financial assistance under certain HUD programs; to represent the City in seeking HUD approval of the AAP; to make and submit to HUD such modifications to the AAP as HUD may require, provided that no substantial policy changes are involved; and to sign and deliver on behalf of the City such assurances and certifications as may be necessary to obtain HUD approval. The Director is further authorized to make such technical and conforming changes to the AAP as may be deemed reasonably necessary, and to amend the AAP, if necessary or appropriate under federal regulations, to reflect funding of specific activities, final appropriations in any adopted budget or amendments to an adopted budget, or changes in activities that are consistent with the policies and priorities established in the City's 2014 - 2017 Consolidated Plan for Housing and Community Development ("Consolidated Plan"). Any substantial amendment as defined by the Citizen Participation Plan of the Consolidated Plan shall require approval by the Council by ordinance or resolution.

Section 3. The Office of Economic Development is authorized to implement a program with Community Development Block Grant (CDBG) funds to assist businesses affected by 23rd Avenue street

construction, as further described in the AAP. Only those businesses that qualify for CDBG assistance may be assisted.

Section 4. The allocations set forth in the AAP do not constitute appropriations and are not final decisions to undertake any project or to award any subgrant or contract. The authority of the respective City departments and offices to implement the activities set forth in the AAP is subject to sufficient appropriations in The City of Seattle 2016 Adopted Budget, as amended by this ordinance or in any separate ordinance. Implementation of any specific project or program is also subject to a final determination by the appropriate office or department after completion of any necessary review under environmental and related laws. No part of the AAP is intended to confer any legal rights or entitlements on any persons, groups, or entities.

Section 5. The Mayor or the Mayor's designee is authorized to execute, deliver, and perform for and on behalf of The City of Seattle such agreements as are reasonably necessary to accept financial assistance from HUD for the following grant programs up to the maximum amounts listed below:

| | |
|---|-------------|
| Community Development Block Grant (CDBG) | \$8,984,932 |
| HOME Investment Partnership (HOME) | \$2,408,254 |
| Housing Opportunities for Persons with AIDS (HOPWA) | \$1,783,626 |
| Emergency Solutions Grant (ESG) | \$819,850 |

CDBG funds, when received, shall be deposited into the CDBG Main Fund (17810). HOME funds, when received, shall be deposited into the HOME Subfund of the Low-Income Housing Fund (16490). HOPWA and ESG funds, when received, shall be deposited into the Human Services Operating Fund (16200). The Mayor or the Mayor's designee is further authorized to execute and deliver such other documents relating to the agreements as may be required.

Section 6. The appropriations for the following items in the 2016 Adopted Budget are decreased for the funds shown, as follows:

| Item | Fund Name and Number | Department | Budget Control Level | Amount |
|------|--|---------------------------|---|-------------|
| 6.1 | Community Development Block Grant Fund (17810) | Office of Housing | CDBG - Office of Housing (6XZ10) | (\$450,195) |
| 6.2 | Community Development Block Grant Fund (17810) | Human Services Department | CDBG - Human Services Department (6HSD10) | (\$21,021) |
| 6.3 | Human Services Operating Fund (16200) | Human Services Department | Community Support and Assistance (H30ET) | (\$1,304) |

Section 7. The appropriations for the following items in the 2016 Adopted Budget are increased for the funds shown, as follows:

| Item | Fund Name and Number | Department | Budget Control Level | Amount |
|------|--|--------------------------------|---|-----------|
| 7.1 | Low Income Housing Fund / HOME Subfund (16400) | Office of Housing | Low Income Housing Fund 16400 (XZ-R1) | \$146,008 |
| 7.2 | Community Development Block Grant Fund (17810) | Office of Economic Development | CDBG - Office of Economic Development (6XD10) | \$400,000 |

Section 8. Unspent funds appropriated in this ordinance shall carry forward to subsequent fiscal years until they are exhausted or abandoned by ordinance. In accordance with RCW 35.32A.060, the foregoing appropriations are made to meet actual necessary expenditures of the City for which insufficient appropriations have been made due to causes which could not reasonably have been foreseen at the time of the making of the 2016 Budget.

Section 9. Execution of the agreements authorized in Section 5 of this ordinance, and other acts

pursuant to the authority and prior to the effective date of this ordinance, are ratified and confirmed.

Section 10. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by a three-fourths vote of all the members of the City Council the ____ day
of _____, 2016, and signed by me in open session in authentication of its
passage this ____ day of _____, 2016.

President _____ of the City Council

Approved by me this ____ day of _____, 2016.

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2016.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment A - 2016 Annual Action Plan to the 2014 - 2017 Consolidated Plan for Housing and Community Development