



Legislation Text

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File #: CB 119814, Version: 1

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**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to funding for housing and community development programs; adopting a substantial amendment to The City of Seattle 2019 Annual Action Plan Amendment to the 2018-2022 Consolidated Plan for Housing and Community Development and authorizing its submission to the United States Department of Housing and Urban Development; authorizing acceptance of grant funds from that department for programs and activities included in the Annual Action Plan; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

WHEREAS, the United States Department of Housing and Urban Development (HUD) has required each local jurisdiction seeking certain federal assistance authorized under the Coronavirus Aid, Relief, and Economic Security (CARES) Act to provide a substantial amendment to its current annual action plan, which guides the allocation of funds from the Community Development Block Grant (CDBG) Program, Emergency Solutions Grant (ESG) Program, and Housing Opportunities for Persons with AIDS (HOPWA) Program; and

WHEREAS, Ordinance 125864 adopted The City of Seattle's ("City") 2019 Annual Action Plan to the 2018-2022 Consolidated Plan for Housing and Community Development ("Consolidated Plan"); and

WHEREAS, the Mayor has proposed a substantial amendment to the 2019 Annual Action Plan (AAP) to the Consolidated Plan; and

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

*Caused by COVID-19; and*

WHEREAS, Ordinance 126000 adopted the City's 2020 Annual Budget and Ordinances 126074 and 126084 amended the 2020 Annual Budget to allocate the funds covered by this legislation; NOW, THEREFORE,

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

Section 1. Findings.

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

B. This legislation adopting the substantial amendment to the Annual Action Plan is a routine part of implementing The City of Seattle's ("City") intent to fund specific projects in 2020 using federal grant allocations, and the Plan serves as the application to the Department of Housing and Urban Development (HUD) for these purposes.

C. All activities will target preventing, preparing for, and responding to the COVID-19 pandemic.

Section 2. The Seattle City Council adopts the substantial amendment to the 2019 Annual Action Plan to the 2018-2022 Consolidated Plan for Housing and Community Development (AAP), attached to this ordinance as Attachment 1.

Section 3. The Mayor and the Director of Human Services ("Director") or their designees are authorized to submit the adopted AAP, together with any necessary supplementary material, to the United States Department of Housing and Urban Development (HUD) as the application by the City for financial assistance under certain HUD programs; to represent the City in seeking HUD approval of the AAP; to make and submit to HUD such modifications to the AAP as HUD may require, provided that no substantial policy changes are involved; and to sign and deliver on behalf of the City such assurances and certifications as may be necessary to obtain HUD approval. The Director or Director's designee is further authorized to make such technical and

conforming changes to the AAP as may be deemed reasonably necessary, and to amend the AAP, if necessary or appropriate under federal regulations, to reflect funding of specific activities, final appropriations in any Adopted Budget or amendments to an Adopted Budget, or changes in activities that are consistent with the policies and priorities established in the City's 2018-2022 Consolidated Plan for Housing and Community Development ("Consolidated Plan"). Any substantial amendment as defined by the Citizen Participation Plan of the Consolidated Plan shall require approval by the Council by ordinance or resolution.

Section 4. The allocations set forth in the AAP do not constitute appropriations and are not final decisions to undertake any project or to award any subgrant or contract. The authority of the respective City departments and offices to implement the activities set forth in the AAP is subject to sufficient appropriations in The City of Seattle's 2020 Budget, as amended by this ordinance or in any separate ordinance. Implementation of any specific project or program is also subject to a final determination by the appropriate office or department after completion of any necessary review under environmental and related laws. No part of the AAP is intended to confer any legal rights or entitlements on any persons, groups, or entities.

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

- A. Community Development Block Grant (CDBG): \$5,640,185.
- B. Housing Opportunities for Persons with AIDS (HOPWA): \$426,340.
- C. Emergency Solutions Grant (ESG): \$2,829,807.

CDBG funds, when received, shall be deposited into the Human Services Fund (16200) and Low-Income Housing Fund (16400). HOPWA and ESG funds, when received, shall be deposited into the Human Services Fund (16200). The Mayor or the Mayor's designee is further authorized to execute and deliver such other documents relating to the agreements as may be required.

Section 6. Unspent funds appropriated in this ordinance shall carry forward to subsequent fiscal years

until they are exhausted or abandoned by ordinance. In accordance with RCW 35.32A.060, the foregoing appropriations are made to meet actual necessary expenditures of the City for which insufficient appropriations have been made due to causes which could not reasonably have been foreseen at the time of the making of the 2020 Budget.

Section 7. Execution of the agreements authorized in Section 5 of this ordinance and other acts pursuant to the authority of this ordinance taken after its passage and prior to its effective date are ratified and confirmed.

Section 8. 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 3/4 of the members of the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2020, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Jenny A. Durkan, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Monica Martinez Simmons, City Clerk

(Seal)

**Attachments:**

Attachment 1 - Substantial Amendment to the 2019 Annual Action Plan