



Legislation Text

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File #: CB 120804, Version: 1

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**CITY OF SEATTLE**

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

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

AN ORDINANCE relating to housing for low-income households; adopting the 2023 Seattle Housing Levy Administrative and Financial Plan for program years 2024-2026; adopting Housing Funding Policies for the 2023 Seattle Housing Levy and other fund sources; authorizing actions by the Director of Housing regarding past and future housing loans and contracts; creating two funds for Housing Levy revenues; and ratifying and confirming certain prior acts.

WHEREAS, pursuant to Ordinance 126837, in 2023 Seattle voters approved the levy of property taxes for the purpose of financing and supporting housing for low-income households (“Housing Levy”); and

WHEREAS, Ordinance 126837 provides for periodic adoption by the City Council of an Administrative and Financial Plan for programs funded by the 2023 Housing Levy; and

WHEREAS, the Administrative and Financial Plan is accompanied by Housing Funding Policies that also describe Office of Housing (“OH”) programs and apply to Levy funds and other housing funds administered by OH as specified for each program; and

WHEREAS, Resolution 32093 provides for certain additional inclusions in the Administrative and Financial Plan and Housing Funding Policies; and

WHEREAS, OH developed the Administrative and Financial Plan and Housing Funding Policies with input from the Housing Levy Oversight Committee, subject matter experts at OH, staff in other City departments, housing developer and operator partners, and members of the community; NOW, THEREFORE,

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

Section 1. The City Council adopts the 2023 Seattle Housing Levy Administrative and Financial Plan

for program years 2024-2026, attached to this ordinance as Attachment A (“A&F Plan”). The A&F Plan incorporates the Housing Funding Policies attached to this ordinance as Attachment B (“Funding Policies”), except those policies that specifically apply only to fund sources other than the 2023 Housing Levy and except as otherwise stated in the A&F Plan or Funding Policies.

Section 2. The City Council adopts the Funding Policies attached to this ordinance as Attachment B. The Funding Policies supersede the Housing Funding Policies adopted by Ordinance 126611 except as provided in Section 4 of this ordinance. The Funding Policies authorize certain actions and approvals by the Director of Housing regarding loans and contracts made under the Funding Policies and those made under prior plans, policies, and ordinances. That authority is granted in addition to, and not in limitation of, any authority under prior plans, policies, and ordinances.

Section 3. The A&F Plan and Funding Policies are intended to provide policy direction for the implementation of programs funded by the 2023 Housing Levy, and for the use of other housing funds to the extent provided in Attachment B to this ordinance, and to provide authority for OH and the Human Services Department (HSD). The A&F Plan and Funding Policies are not intended to confer any legal rights or entitlements on any persons, groups, or entities, and are not intended to create a basis for any private cause of action.

Section 4. The A&F Plan and Funding Policies are effective as of January 1, 2024, and shall remain in effect until amended or superseded by ordinance, except as provided in this section. Any actions on or after January 1, 2024, conforming to the A&F Plan and Funding Policies, as applicable, are ratified and confirmed. The terms of the A&F Plan and Funding Policies shall not require changes to the terms, or to the implementation, of any contract in effect prior to the effective date of this ordinance. The Director of Housing may implement funding awards made prior to January 1, 2024, in a manner consistent with policies in effect when the related notice of funding availability was issued or the application was submitted, whether or not there is a binding agreement prior to the effective date of this ordinance, anything in the A&F Plan or Funding

Policies notwithstanding. However, with the agreement of the borrower or applicant, the Director of Housing may apply provisions of the A&F Plan, or Funding Policies, that are not specific to the 2023 Housing Levy, to agreements implementing such previous funding awards, and any provisions of any agreement or amendment conforming to those provisions are ratified and confirmed.

Section 5. New Fund 16423. A new 2023 Levy Program Fund is created with fund number 16423, into which revenues may be deposited, and from which associated expenditures may be paid for the purposes described in the A&F Plan.

Section 6. New Fund 16422. A new 2023 Levy OMS Fund is created with fund number 16422, into which revenues may be deposited, and from which associated expenditures may be paid for the purposes described in the A&F Plan.

Section 7. Levy Revenues. Unless otherwise directed by ordinance, all revenues collected from the 2023 Seattle Housing Levy shall be deposited as follows:

- \$821,960,175 in the 2023 Levy Program Fund (16423), of which \$117,422,882.00 will be deposited annually; and
- \$60,000,000 in the existing Office of Housing Operating Fund (16600), of which \$8,571,428.57 will be deposited annually; and
- \$88,300,000 in the 2023 Levy OMS Fund (16422), of which up to \$12,614,285.70 will be deposited annually contingent on available revenues.

Revenues collected will be managed in existing Budget Summary Levels. Proceeds may be temporarily deposited or invested in such manner as may be lawful for the investment of City money, and interest and other earnings shall be used for the purposes as described in the A&F Plan.

The Director of Housing shall have responsibility for administering the two new funds. The Director of Finance is authorized to create accounts or subaccounts as may be needed to implement the funds' purpose and

intent as established by this ordinance.

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 any attachment to this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of any other provisions of this ordinance or its attachments, or the validity of their application to other persons or circumstances.

Section 9. This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2024, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_

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

Approved / returned unsigned / vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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Bruce A. Harrell, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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Scheereen Dedman, City Clerk

(Seal)

**Attachments:**

Attachment A - Seattle Housing Levy Administrative and Financial Plan for Program Years 2024-2026

Attachment B - Housing Funding Policies for Program Years 2024-2026