

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to housing for low-income households; adopting the Housing Levy Administrative and Financial Plan for program years 2019 and 2020; adopting Housing Funding Policies for the 2016 Housing Levy and other fund sources; authorizing actions by the Director of Housing regarding past and future housing loans and contracts; and ratifying and confirming certain prior acts.

..body

WHEREAS, pursuant to Ordinance 125028, in 2016 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 125028 provides for periodic adoption by the City Council of an Administrative and Financial Plan for programs funded by the 2016 Housing Levy; and

WHEREAS, in 2017 City Council adopted an Administrative and Financial Plan for program years 2017 and 2018, by Ordinance 125308; and

WHEREAS, in 2019 Mayor Durkan issued Executive Order 2019-02, calling on City departments to act with urgency to address residential displacement and increase affordability with priority actions in 2019, and directing the Office of Housing to update its Housing Funding Policies to further address residential displacement, including through policies that: encourage partnership with community-based organizations, particularly in high-displacement-risk areas; allow for continued financing under the Acquisition and Preservation Program; and expand scope of home repair program to help low-income homeowners stay in their homes; and

WHEREAS, Executive Order 2019-02, building off community advocacy, directed the Office of Housing to develop a policy that encourages housing developers to propose and

1 implement Community Preference in the leasing and sale of City-funded rental and
2 ownership housing located in high-displacement-risk neighborhoods, on a case-by-case
3 basis; and

4 WHEREAS, the Office of Housing is committed to affirmatively furthering fair housing, which
5 includes increasing affordable housing options, ending segregation and discrimination,
6 and addressing displacement, and policies on Affirmative Marketing and Community
7 Preference can advance that commitment; and

8 WHEREAS, the Office of Housing has determined that policies for Housing Levy funding and
9 for other fund sources administered by the Office of Housing that support housing for
10 low-income households should be combined in a Housing Funding Policies document to
11 improve accessibility and clarity; and

12 WHEREAS, the Office of Housing, with the Housing Levy Oversight Committee, has developed
13 policies for Housing Levy programs for 2019 and 2020, and has developed additional
14 funding policies for housing based in part on requirements of other federal, state, and
15 local fund sources administered by the Office of Housing; NOW, THEREFORE,

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

17 Section 1. The City Council hereby adopts the 2016 Seattle Housing Levy Administrative
18 and Financial Plan for program years 2019 and 2020, attached to this ordinance as Exhibit A
19 (“A&F Plan”). The A&F Plan incorporates the Housing Funding Policies attached to this
20 ordinance as Exhibit B (“Funding Policies”), except those policies that specifically apply only to
21 fund sources other than the 2016 Housing Levy and except as otherwise stated in the A&F Plan
22 or Funding Policies.

1 Section 2. The City Council hereby adopts the Funding Policies attached to this ordinance
2 as Exhibit B. The Funding Policies supersede the Housing Funding Policies adopted by
3 Ordinance 125308 (“2017 Policies”) except as provided in Section 4 of this ordinance. The
4 Funding Policies authorize certain actions and approvals by the Housing Director regarding loans
5 and contracts made under the Funding Policies and those made under prior plans, policies, and
6 ordinances. That authority is granted in addition to, and not in limitation of, any authority under
7 prior plans, policies, and ordinances.

8 Section 3. The A&F Plan and Funding Policies are intended to provide policy direction
9 for the implementation of programs funded by the 2016 Housing Levy, and for the use of other
10 housing funds to the extent provided in Exhibit B to this ordinance, and to provide authority for
11 the Office of Housing and the Human Services Department, but not to confer any legal rights or
12 entitlements on any persons, groups, or entities.

13 Section 4. The A&F Plan and Funding Policies are effective as of January 1, 2019, and
14 shall remain in effect until amended or superseded by ordinance, except as provided in this
15 section. Any actions on or after January 1, 2019, conforming to the A&F Plan and Funding
16 Policies, as applicable, are ratified and confirmed. The terms of the A&F Plan and Funding
17 Policies shall not require changes to the terms, or to the implementation, of any contract in effect
18 prior to the effective date of this ordinance. The Director of Housing may implement funding
19 awards made prior to January 1, 2019, in a manner consistent with policies in effect when the
20 related notice of funding availability was issued or the application was submitted, whether or not
21 there is a binding agreement prior to the effective date of this ordinance, anything in the A&F
22 Plan or Funding Policies notwithstanding. However, with the agreement of the borrower or
23 applicant, the Director of Housing may apply provisions of the A&F Plan, or Funding Policies,

1 that are not specific to the 2016 Housing Levy, to agreements implementing such previous
2 funding awards, and any provisions of any agreement or amendment conforming to those
3 provisions are ratified and confirmed.

4 Section 5. The provisions of this ordinance are declared to be separate and severable. The
5 invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or
6 any exhibit to this ordinance, or the invalidity of the application thereof to any person or
7 circumstance, shall not affect the validity of any other provisions of this ordinance or its exhibits,
8 or the validity of their application to other persons or circumstances.

1 Section 6. Subject to Section 4 of this ordinance, this ordinance shall take effect and be in
2 force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor
3 within ten days after presentation, it shall take effect as provided by Seattle Municipal Code
4 Section 1.04.020.

5 Passed by the City Council the _____ day of _____, 2019,
6 and signed by me in open session in authentication of its passage this _____ day of
7 _____, 2019.

8 _____
9 President _____ of the City Council

10 Approved by me this _____ day of _____, 2019.

11 _____
12 Jenny A. Durkan, Mayor

13 Filed by me this _____ day of _____, 2019.

14 _____
15 Monica Martinez Simmons, City Clerk

16 (Seal)

17 Attachments:
18 Exhibit A – Seattle Housing Levy Administrative & Financial Plan Program Years 2019-2020
19 Exhibit B – Housing Funding Policies