

ORDINANCE No.

116292

COUNCIL BILL No.

109246

AN ORDINANCE relating to the HOME program; accepting a \$3,928,000 grant from the United States Department of Housing and Urban Development; authorizing execution of a HOME Investment Partnership Agreement and related documents; establishing a new account of the Low-Income Housing Fund for the deposit of the HOME grant and program income receive appropriating HOME funds for housing programs; authorizing the Mayor and Director of the Department of Housing and Human Services to implement HOME programs; and ratifying and confirming prior acts.

Introduced:	JUL 20 1992	By:	HARRIS
Referred:	JUL 20 1992	To:	Housing, Health, Human Services
Referred:		To:	
Referred:		To:	
Reported:	Aug 3, 1992	Second Reading:	Aug 3, 1992
Third Reading:	Aug 3, 1992	Signed:	Aug 3, 1992
Presented to Mayor:		Approved:	AUG 6 1992
Returned to City Clerk:	AUG 7 1992	Published:	
Vetoed by Mayor:		Veto Published:	
Passed over Veto:		Veto Sustained:	

U55047

The City of

Honorable President:

Your Committee on Housing

to which was referred the within Council report that we have considered the same

Do pass by a voteFull Council Vote 6-0US Hud, Housing

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

Honorable President:

Your Committee on Housing, Health, Human Services & Education

to which was referred the within Council Bill No. 109246
report that we have considered the same and respectfully recommend that the same:

Do pass by a vote of 3-0 (all SH) on 7/28/92

Full Council Vote 6-0

US Hud, Housing Human Services

Sherry D. Harris

Committee Chair

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ORDINANCE 116292

AN ORDINANCE relating to the HOME program; accepting a \$3,928,000 grant from the United States Department of Housing and Urban Development; authorizing execution of a HOME Investment Partnership Agreement and related documents; establishing a new account of the Low-Income Housing Fund for the deposit of the HOME grant and program income received; appropriating HOME funds for housing programs; authorizing the Mayor and Director of the Department of Housing and Human Services to implement HOME programs; and ratifying and confirming prior acts.

WHEREAS, pursuant to Resolution 28518 The City of Seattle submitted to the United States Department of Housing and Urban Development ("HUD") a Program Description dated March 31, 1992, in response to a notice of funds availability under the HOME program; and

WHEREAS, HUD has approved the Program Description and has transmitted to the City for execution the 1992 HOME Investment Partnership Agreement as required by HUD regulations, for a grant of \$3,928,000; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Mayor or his designee is hereby authorized, on behalf of The City of Seattle, to execute and transmit to HUD the HOME Investment Partnership Agreement substantially in the form attached hereto as Exhibit A, and such additional amendments, forms, certificates, and other documents as shall be necessary in order to obtain the grant of \$3,928,000 from HUD under the 1992 HOME program ("1992 HOME funds").

Section 2. The award of 1992 HOME funds is hereby accepted and such funds shall be deposited in a new account of the Low-Income Housing Fund, to be designated the "HOME Account." Subject to receipt of the 1992 HOME funds from HUD, such funds are hereby appropriated for the programs set forth on Exhibit B, in the amounts stated on such Exhibit for each program, subject to the possible reallocation of a limited amount of such funds among programs as permitted under Section 5 below. In case of any conflict between City policies for such programs and HUD requirements for the HOME program, HUD requirements shall be followed.

Section 3. The 1992 HOME funds shall be expended in accordance with the Program Description attached hereto as Exhibit

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1 C, as the same may be modified from time to time.

2 Section 4. The Program Description shall be modified to
3 reflect the allocations of funds among categories as set forth in
4 Exhibit B, consistent with HUD regulations.

5 Section 5. The Mayor or DHHS Director is hereby authorized
6 to make such modifications in the Program Description (including
7 without limitation reallocation of funds among categories therein)
8 and in the allocation of funds shown on Exhibit B, as he or she
9 shall deem necessary or appropriate, consistent with HUD
10 regulations and otherwise in accordance with law, provided that
11 any reallocation of funds that would reduce the amount in any
12 category shown on Exhibit B by more than twenty percent (20%)
13 shall be submitted to the City Council in advance for approval by
14 resolution or ordinance.

15 Section 6. A portion of the 1992 Home funds appropriated for
16 home ownership assistance, in the amount of \$196,400, shall be
17 reserved for expenditure after guidelines for the use of such
18 funds have been developed by the Director of Housing and Human
19 Services and approved by the Council by resolution or ordinance.

20 Section 7. The Director of Housing and Human Services shall,
21 prior to expenditure of the portion of the 1992 HOME funds
22 appropriated for tenant-based rental assistance, develop a
23 detailed plan for such assistance and submit it to the Council for
24 approval by resolution or ordinance.

25 Section 8. The Mayor or Director of Housing and Human
26 Services ("DHHS Director") is hereby authorized to cause the 1992
27 HOME funds to be expended in accordance with: the provisions of
28 this Ordinance; Exhibits B and C as now in effect or hereafter
29 modified; the City's Comprehensive Housing Affordability Strategy;
30 and all applicable laws, regulations and ordinances.

31 Section 9. Funds appropriated under this ordinance shall
32 carry forward from year to year until expressly abandoned by
33 ordinance.

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1 Section 10. The Mayor or DHHS Director is hereby authorized,
2 for and on behalf of the City, to enter into and modify such
3 agreements and execute such documents as he or she shall find
4 reasonably necessary to carry out the authority granted hereunder
5 and to implement the City's HOME programs with the 1992 HOME funds
6 appropriated hereunder.

7 Section 11. Any action pursuant to the authority and prior
8 to the effective date of this ordinance is hereby ratified and
9 confirmed.

10
11
12 [HRT\HOME5.ord
13 7/14/92]
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(To be used for all Ordinances except Emergency.)

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Section 12. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 3rd day of August, 1992,
and signed by me in open session in authentication of its passage this 3rd day of
August, 1992.

Margaret Pieper
President pro tem of the City Council.

Approved by me this 6th day of August, 1992,
Roman B. Rice Mayor.

Filed by me this 7th day of August, 1992.

Raymond [Signature]
Attest: City Comptroller and City Clerk.

(SEAL.)

Published _____

By Margaret Carter
Deputy Clerk.

EXHIBIT B

1992 HOME PROGRAM

HOUSEHOLDS SERVED	FUNDING LEVEL	PROGRAM	USER OF FUNDS	INCOME GR SERVED
RENTERS				
Large Families (3+ Bedroom Units)	\$300,000	Housing Levy Large Family Program	SHA	0-30% Media
Small Families and Single Individuals -- Development *CHDO Minimum	\$2,281,600	Matching Fund and Levy Apartment Rehab. Program	Nonprofits and Private Owners	0-50% Media
Families and Individuals-- Rent Assistance	\$350,000	Rent Assistance	To be Determined	0-30% Media
RENTERS TOTAL	\$2,931,600 (75%)			
OWNERS				
Homeowners--Housing Rehabilitation	\$450,000	NHRP	SHA	0-80% Media
Homeowners--Additional Funds for Repair Assistance	\$196,400	To be Determined		0-80% Media
Homeowners--Emergency Code Repair	\$350,000	ECR	DHHS	0-80% Media
OWNERS TOTAL	\$996,400 (25%)			
GRAND TOTAL	\$3,928,000			

ENSIC2EW0032.RH2

EXHIBIT B

1992 HOME PROGRAM

FUNDING LEVEL	PROGRAM	USER OF FUNDS	INCOME GROUP SERVED	COMMENTS
\$300,000	Housing Levy Large Family Program	SHA	0-30% Median	Funds would hopefully provide local match for additional federal public housing funds--additional 12 units would be produced to add to Levy program's 150 unit goal.
\$2,281,600	Matching Fund and Levy Apartment Rehab. Program	Nonprofits and Private Owners	0-50% Median	Matching Fund for family and small units for individuals; Levy Apartment Rehab. Program for rehab of small family units; funds would assist in rehabilitation or production of 64-87 units.
\$350,000	Rent Assistance	To be Determined	0-30% Median	Short-term intervention strategies such as: - Transition from shelters - Transition from public housing - Homeless prevention
\$2,931,600 (75%)				
\$450,000	NHRP	SHA	0-80% Median	Funds needed to subsidize bank financing for 1992 program --funds will reduce interest rates for 125 to 150 loans in 1992, a 25% increase over 1991.
\$196,400	To be Determined		0-80% Median	
\$350,000	ECR	DHHS	0-80% Median	Funds for emergency code repair assistance, including deferred payment loans for homeowners who can afford no monthly payment--funds would assist an estimated 25-30 additional owners in 1992.
\$996,400 (25%)				
\$3,928,000				

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1992 HOME Program Briefing

At the July 28 committee meeting, the HHHSE Committee will act on Council Bill 109246 relating to the HOME program. This Bill does five things:

1. Enables Seattle to accept the \$3,928,000 in 1992 HOME monies from HUD.
2. Identifies the programs that will be funded, and the dollar amount of the funding for each program (see attached chart).

NOTE: This chart is slightly different than the chart discussed at the March 24 HHHSE Committee meeting. In the current chart, \$196,400 has been moved from the Matching Fund program into as-yet unspecified home owner repair assistance programs.

3. States that any reallocation of funds that would reduce the amount in any program by more than 20% must first be approved by resolution or ordinance.
4. States that DHHS will not spend the \$196,400 in unspecified home owner assistance until guidelines for spending have been developed by DHHS and approved by the Council by resolution or ordinance.
5. States that DHHS will not spend the \$350,000 for tenant-based rental assistance until DHHS develops a detailed plan and this plan is approved by the Council by resolution or ordinance.

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Funding Approval and HOME Investment Partnership Agreement

Title II of the National Affordable Housing Act

U.S. Department of Housing
and Urban Development
Office of Community Planning
and Development

EXHIBIT A



OMB Approval No. 2501-0013 (Exp. 6/30/93)

Public reporting burden for this collection of information is estimated to average 1.0 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Reports Management Officer, Office of Information Policies and Systems, U.S. Department of Housing and Urban Development, Washington, D.C. 20410-3600 and to the Office of Management and Budget, Paperwork Reduction Project (2501-0013), Washington, D.C. 20503. Do not send this completed form to either of these addressees.

1. Participant Name and Address CITY OF SEATTLE 1200 Municipal Building 600 Fourth Avenue Seattle, WA 98104		2. Participant Number M92-MC530200
		3. Tax Identification Number 91-6001275
4. a. HUD Geographic Locator Code No: 1392 b. County Code: 033	5. Appropriation Number 86 X 0205	6. Funding Approval Number 1
		7. FY: 1992

8. Previous Obligation

	\$ -0-
a. Rental Housing Production Set-Aside	-0-
b. Regular Funds	-0-
c. Community Housing Development Organization Reallocation	-0-

9. Current Transaction

	\$ 3,928,000
a. Rental Housing Production Set-Aside	782,000
b. Regular Funds	2,556,800
c. Community Housing Development Organization Reallocation	589,200

10. Revised Obligation

	\$ 3,928,000
a. Rental Housing Production Set-Aside	782,000
b. Regular Funds	2,556,800
c. Community Housing Development Organization Reallocation	589,200

11. Special Conditions (check applicable box) a. Not applicable ☐ b. Attached ☒

This agreement between the Department of Housing and Urban Development (HUD) and the CITY OF SEATTLE

(the Participating Jurisdiction/Entity) is made pursuant to the authority of the Home Investment Partnerships Act (42 U.S.C. 12701 et seq.). The Participating Jurisdiction's/Entity's approved Program Description/Application and the HUD regulations at 24 CFR Part 92 (as now in effect and as may be amended from time to time) and this Home Investment Partnership Agreement, form HUD-40063, including any special conditions, constitute part of this agreement. Subject to the provisions of this agreement, HUD will make the funds for the Fiscal Year specified, available to the Participating Jurisdiction/Entity upon execution of this agreement by the parties. All funds for the specified Fiscal Year provided by HUD by formula reallocation are covered by this agreement upon execution of an amendment by HUD, without the Participating Jurisdiction's execution of the amendment or other consent. HUD's payment of funds under this agreement is subject to the Participating Jurisdiction's/Entity's compliance with HUD's electronic funds transfer and information reporting procedures issued pursuant to 24 CFR 92.502. To the extent authorized by HUD regulations at 24 CFR Part 92, HUD may, by its execution of an amendment, deobligate funds previously awarded to the Participating Jurisdiction/Entity without the Participating Jurisdiction's/Entity's execution of the amendment or other consent. The Participating Jurisdiction/Entity agrees that funds invested in affordable housing under 24 CFR Part 92 are repayable when the housing no longer qualifies as affordable housing. Repayment shall be made as specified in 24 CFR Part 92. The Participating Jurisdiction agrees to assume all of the responsibility for environmental review, decision making, and actions, as specified and required in regulation at 24 CFR 92.352 and 24 CFR Part 58.

For the U.S. Department of Housing and Urban Development (Name and Title) John W. Peters Regional Director, Office of CPD	Signature 	Date MAY 22 1992
For Participating Jurisdiction/Entity (Name and Title of Authorized Official)	Signature X	Date

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11. SPECIAL CONDITIONS

- a. The funding assistance authorized hereunder shall not be obligated or utilized for any activities requiring a release of funds under the Environmental Review Procedures for the HOME Program at 24 CFR part 58, until such release is issued in writing.

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EXHIBIT C

HOME PROGRAM DESCRIPTION

Participating Jurisdiction: Seattle, Washington

Date of Submission: March 31, 1992

Grant Year: 1992

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HCRH

APPLICATION FOR FEDERAL ASSISTANCE

OMB Approval No. 0348-0043

1. TYPE OF SUBMISSION: <input type="checkbox"/> Application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		2. DATE SUBMITTED MARCH 31, 1992		3. DATE RECEIVED BY STATE		4. DATE RECEIVED BY FEDERAL AGENCY	
5. APPLICANT INFORMATION		6. EMPLOYER IDENTIFICATION NUMBER (EIN)		7. TYPE OF APPLICANT: (enter appropriate letter in box)		8. NAME OF FEDERAL AGENCY	
Legal Name: City of Seattle, Washington		91 - 6001275		A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District		Department of Housing and Urban Development	
Address (give city, county, state, and zip code): 700 Third Avenue, 5th Floor Seattle, Washington 98104		10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER		H. Independent School Dist. I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify):		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT	
12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.): City of Seattle, Washington		13. PROPOSED PROJECT:		14. CONGRESSIONAL DISTRICTS OF:		15. ESTIMATED FUNDING:	
16. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN FULLY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED		17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?		18. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?		19. SIGNATURE OF AUTHORIZED REPRESENTATIVE	
Typed Name of Authorized Representative Norman B. Rice		Title Mayor		Telephone number (206) 684-4000		Date Signed	

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Authorized for Local Reproduction

Standard Form 424 (REV 4-80)
Prescribed by OMB Circular A-102

HOME PROGRAM DESCRIPTION
City of Seattle
March 31, 1992

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APPENDICES:	
• Certifications	
City of Seattle HOME Program Contacts:	
Rick Hooper	684-0338
Janet MacKenzie	684-0349

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HOME PROGRAM DESCRIPTION

EXECUTIVE SUMMARY

Seattle's anticipated 1992 HOME program allocation is \$3.928 million. Overall administration of Seattle's HOME program will be the responsibility of the Department of Housing and Human Services.

Seattle's Program Description was developed over a three month period and approved by Seattle's City Council on March 24, 1992. Four public meetings were held to invite comments and reactions to program description issues and draft funding plans.

Seattle plans to use approximately 80% of HOME funds for rental housing development and assistance, and 20% for homeowner rehabilitation. Anticipated allocations are summarized in the chart below:

ACTIVITY:	TOTAL HOME	\$	RENTAL	\$	OWNER	\$
• New Construction	\$782,000		\$782,000			
• Substantial Rehabilitation	\$854,500		\$694,500		\$160,000	
• Other Rehabilitation	\$1,334,500		\$694,500		\$640,000	
• Acquisition	\$607,000		\$607,000			
• Tenant Assistance	\$350,000		\$350,000			
TOTALS:	\$3,928,000		\$3,128,000		\$800,000	

Fifteen percent of Seattle's 1992 HOME allocation will be set-aside for Community Housing Development Organizations.

Seattle's plan for use of HOME program funds is consistent with Seattle's approved 1992 Comprehensive Housing Affordability Strategies.

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PROPOSED USE OF HOME FUNDS

Seattle's 1992 HOME funds will be used for eligible activities summarized in the chart below:

ACTIVITY:	TOTAL HOME \$	RENTAL \$	OWNER \$
• New Construction	\$782,000	\$782,000	
• Substantial Rehabilitation	\$854,500	\$694,500	\$160,000
• Other Rehabilitation	\$1,334,500	\$694,500	\$640,000
• Acquisition	\$607,000	\$607,000	
• Tenant Assistance	\$350,000	\$350,000	
TOTALS:	\$3,928,000	\$3,128,000	\$800,000

RENTAL PROGRAM ACTIVITY

Seattle is on HUD's "NEW CONSTRUCTION LIST" and estimates that \$782,000 will be used to construct new units for rental occupancy. A significant amount of Seattle's HOME allocation will be used to rehabilitate rental housing, with rehabilitation funds anticipated to be equally split between substantial rehabilitation and other rehabilitation. An estimated \$607,000 will be used for acquisition. Seattle intends to use \$350,000 for tenant-based rental assistance, consistent with HOME program regulations.

OWNER PROGRAM ACTIVITY

Seattle will use \$800,000 for rehabilitation of homes occupied by homeowners. Most (approximately 80%) of rehabilitation is anticipated to be "other rehabilitation". The remaining 20% will likely be "substantial rehabilitation".

FORMS OF INVESTMENT

At this time Seattle anticipates using a combination of forms of investment included in HOME program regulations.

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COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS AND HOME

Seattle will set aside 15% of its HOME allocation (\$589,200) exclusively for eligible Community Housing Development Organizations (CHDO's). CHDO's will be able to use the portion of HOME funds that will be available for rental housing development.

Seattle will assist nonprofit organizations in determining whether or not they are CHDO's. Seattle will provide appropriate technical assistance to CHDO's to ensure they understand how to access HOME funding resources. Seattle anticipates CHDO's will utilize HOME funds in all categories of rental housing development: new construction, substantial rehabilitation, other rehabilitation, and acquisition, as shown in the chart below:

ACTIVITY	ANTICIPATED ALLOCATION
• New Construction	\$147,300
• Substantial Rehabilitation	\$147,300
• Other Rehabilitation	\$147,300
• Acquisition	\$147,300
TOTALS:	\$589,200

A number of Seattle housing nonprofit agencies are public corporations chartered by the City of Seattle. Because these agencies are public corporations, they are not 501(c)(3) nonprofits; they receive a different IRS designation. We will be seeking clarification from HUD on whether CHDO's must have a 501(c)(3) designation; if so, we will seek a change in regulations to permit other IRS designations when all other CHDO requirements are met.

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AFFIRMATIVE MARKETING AND OUTREACH TO MINORITY AND WOMEN OWNED BUSINESSES

Women and Minority Business Enterprise (W/MBE) Outreach

The City of Seattle promotes the equitable utilization of W/MBE in city contracting and has adopted a W/MBE policy which is in effect for all City programs. City W/MBE policies and procedures will be extended to HOME program funds.

The City's W/MBE policy, Seattle Municipal Code (SMC) 20.46, outlines the policies and procedures for W/MBE utilization in City contracting. Oversight responsibilities for City compliance with SMC 20.46 rests with the Director of the Human Rights Department (HRD). HRD establishes separate City-wide annual goals for the utilization of women's business enterprises and for minority business enterprises. Housing rehabilitation/construction contracts all include requirements for utilizing W/MBE contractors and subcontractors. Contractors must also maintain records necessary for monitoring compliance with the provisions of City policy.

The City's outreach to W/MBE for HOME program assisted projects will include:

- o Maintaining an inventory of certified W/MBEs. W/MBEs are certified by the Washington State Office of Minority and Women's Business Enterprises. The City has a directory of certified W/MBEs and provides access to this listing of such bona fide businesses for use by DHHS and its contractors.
- o Utilizing the local media to market and promote contract and business opportunities for W/MBEs. Construction contracts are advertised in the official business publication of the City of Seattle. In addition, notices are also sent to minority and women's business newspapers and journals. City policies for W/MBE utilization are also included in published Request For Proposals.
- o Maintaining centralized records with data on the utilization and participation of W/MBEs as contractors and subcontractors in HOME assisted contracting activities.

Fair Housing and Equal Opportunity

The City of Seattle promotes the availability and accessibility of housing to all persons. HOME program funds will be administered in accordance with the Federal Fair Housing Act and all other federal legislation governing equal opportunity and nondiscrimination.

In addition, all recipients of HOME program funds will be required to comply with the City's Open Housing and Public Accommodations Ordinance, Seattle Municipal Code (SMC) 14.08. City policy prohibits an owner from refusing to sell, rent or lease because of a person's race, color, creed, religion, ancestry, national origin, age, sex, marital status, sexual orientation, parental status, political ideology, possession or use of Section 8 certificate, or the presence of

any sensory, mental or physical handicap or the use of a trained guide or service dog by a handicapped person.

The Open Housing Ordinance includes definitions of unfair housing practices and procedures for filing and investigating charges of violation.

Affirmative Marketing

The City of Seattle promotes nondiscrimination and equal opportunity in housing through affirmative marketing of rental units acquired and/or rehabilitated or constructed using housing funds administered by the Department of Housing and Human Services (DHHS). The City has adopted policy guidelines which outline the affirmative marketing responsibilities of the City and of rental property owners who receive housing funds administered by DHHS.

Affirmative marketing policies and procedures in effect for existing City programs will be extended to HOME program funds. Policies and procedures will be amended, as required, to comply with HOME program guidelines.

Affirmative marketing procedures for the HOME program will be based on policies developed for the City's Rental Rehabilitation Program. HOME program affirmative marketing guidelines will include the following activities:

- o Publishing a notice informing the general public about the affirmative marketing policy and fair housing requirements of the HOME program. Notification of these policies will be published in Housing Request for Proposals and in Loan Agreements.
- o Providing affirmative marketing and fair housing requirements in informational materials to property owners and to tenants in units to be rehabilitated.
- o Requiring that owners of rental units must use marketing methods designed to reach minority households, maintain records documenting affirmative marketing efforts, and include the Equal Housing Opportunity logo on signs and in advertising vacant units. Lists of community organizations, churches and other special outreach organizations will be made available to program participants.
- o Receiving annual reports from owners on affirmative marketing efforts; evaluate reports and take corrective action, as necessary.

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TENANT-BASED RENTAL ASSISTANCE AND HOME

Seattle will dedicate \$350,000 in HOME funds for tenant-based rental assistance to assist homeless families and individuals secure housing and prevent households at risk from losing their housing and becoming homeless. Tenant-based rental assistance will provide short term (up to one year) transition and eviction avoidance assistance.

Need for a Tenant-based Rental Assistance Program

The need for rental assistance in Seattle is great. The three primary factors which demonstrate the need for HOME tenant-based rental assistance funds are:

- o the number of individuals who are homeless;
- o the "cost burden" or extent to which gross housing costs exceed 30% of gross household income; and
- o the number of households on the Seattle Housing Authority's waiting list for subsidized housing.

Homelessness continues to be one of the most persistent human service problems facing the City. Contributing factors to homelessness include rising costs of housing and inadequate incomes. There are an estimated 13,000 to 14,000 persons homeless in Seattle during a year, and between 3,000 and 3,500 individuals are homeless on a given night.

Thousands more are living at risk of homelessness. In Seattle, there are an estimated 32,233 renter households with incomes below 80% of the median family income level and who pay more than 30% of their incomes for housing. Almost all (90%) of these households, or 28,751, had incomes below 50% of family income and almost two-thirds had incomes below 30% of family median income level. Although the problem is very difficult for all types of low-income households, it is significantly worse for low-income families, especially those with children: 82% of small low-income families and 95% of large low-income families pay over 30% of their income for rent. In addition, approximately 8,000 elderly and non-elderly single households are paying 50% or more of their monthly incomes for housing.

Another indicator of need is the Seattle Housing Authority's (SHA) waiting list for subsidized housing, which totalled 10,339 in 1991. Of these households, 7,037 are families and 3,302 are elderly, handicapped or disabled.

Feasibility

Tenant based rental assistance is feasible in Seattle where the housing stock is in good condition. Despite an overall low vacancy rate of approximately 4%, vacancy rates vary from

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neighborhood to neighborhood and range from 2.3% to 10.1%, indicating that rental housing would be available.

Appropriateness of rental assistance as an activity/CHAS Consistency

Tenant based rental assistance will be used to assist households with incomes at or below 30% of median income and who are homeless or at risk of becoming homeless. This is consistent with the Seattle CHAS priority to provide safe, habitable permanently affordable, rental housing primarily to very low income Seattle renters households most in need.

Tenant-based Rental Assistance Program

The Seattle Tenant-based Rental Assistance program will be developed by the City with assistance from the Seattle Housing Authority and nonprofit agencies who have experience with rental subsidy and eviction avoidance programs. The City will meet with providers of rental assistance programs to develop a systematic approach in order to prevent duplication and most effectively utilize HOME funding addition to local public and private funds currently being used for rental assistance and eviction avoidance programs.

Administration of the program will include responsibility for rent reasonableness; Housing Quality Standard (HQS) inspection; processing of payments to landlords/tenants; and developing terms for rental assistance contracts.

Tenant Selection Procedures

Tenants will be selected to receive HOME program funds who are:

- o Currently living in shelters and need short term rent assistance to move into permanent housing.
- o Currently living in public housing and need rent assistance to transition to other housing.
- o Currently living in permanent housing but at risk of becoming homeless.

Subsidy Amounts

The City will use HUD established existing housing Fair Market Rents (FMR) to develop the rent standard for units. The rent standard will not be more than FMR or less than 80% of FMR. Tenants will be required to contribute 30% of monthly adjusted income for rent.

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CERTIFICATIONS

HOME PROGRAM DESCRIPTION

In accordance with the Home Investment Partnerships Act and with 24 CFR 92.150 of the Home Investment Partnership Program Rule, the participating jurisdiction certifies that:

- (a) Before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;
- (b) If the participating jurisdiction is not on the list published under 24 CFR 92.51 and intends to do new construction to facilitate a neighborhood revitalization program;

For each neighborhood revitalization program,

1. Rehabilitation is not the most cost-effective way to meet the participating jurisdictions need to expand the supply of affordable housing within the neighborhood and the participating jurisdictions housing needs, within the neighborhood, cannot be met through rehabilitation of the available housing stock; and
2. The program of new construction is needed to facilitate a neighborhood revitalization program that emphasizes rehabilitation of substandard housing for rental or homeownership opportunities by low-income and moderate-income families in an area designated by the jurisdiction;
3. The housing is to be located in a low-income neighborhood;
4. The housing is to be developed, owned, or sponsored by a community housing development organization or a public agency; and
5. The number of housing units to be constructed with HOME funds does not exceed 20 percent of the total number of housing units in the neighborhood revitalization program that are assisted with HOME funds; unless

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- (a) The housing is to be located in a severely distressed area within the neighborhood with large tracts of vacant land and abandoned buildings; or
 - (b) The housing is to be located in an area within the neighborhood with an inadequate supply of existing housing that can economically be rehabilitated to meet identified housing needs; or
 - (c) The new construction is required to accomplish the neighborhood revitalization program.
- (c) If the participating jurisdiction is not on the list published under 24 CFR 92.51 and intends to do new construction on the basis of special needs;

For each project,

1. Rehabilitation is not the most cost-effective way to expand the supply of affordable housing for the special need and the special need cannot be met through rehabilitation of the available housing stock;
 2. Based on objective data in its annual approved housing strategy, a high priority need for such housing exists in the jurisdiction; and there is not a supply of vacant, habitable, public housing units in excess of normal vacancies resulting from turnovers that could meet the specified need.
 3. The HOME funds are used for new construction of one or more of the following:
 - a. Housing for families of five or more persons;
 - b. Housing for persons with disabilities;
 - c. Single room occupancy housing; and
 - d. Housing that is necessary to further the desegregation or racial deconcentration of housing within the jurisdiction pursuant to a court-approved settlement agreement, compliance agreement, or voluntary plan approved by HUD if tenant-based assistance is not sufficient to meet the specified need within a reasonable time.
- (d) If the participating jurisdiction intends to provide tenant-based rental assistance;

The use of HOME funds for tenant-based rental assistance is an essential element of the participating jurisdiction's annual approved housing strategy for expanding the supply,

affordability, and availability of decent, safe, sanitary, and affordable housing.

- (e) The submission of the program description is authorized under State and local law (as applicable), and that it possesses the legal authority to carry out the Home Investment Partnerships (HOME) Program, in accordance with the HOME regulations;
- (f) It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, implementing regulations at 49 CFR part 24 and the requirements of 24 CFR 92.353;
- (g) It and State recipients, if applicable, will use HOME funds pursuant to its Comprehensive Housing Affordability Strategy (CHAS) approved by HUD and all requirements of 24 CFR Part 92;
- (h) It will or will continue to provide a drug-free workplace by:
 - 1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - 2. Establishing an ongoing drug-free awareness program to inform employees about -
 - (a) The dangers of drug abuse in the workplace;
 - (b) The participating jurisdiction's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - 3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (1);
 - 4. Notifying the employee in the statement required by paragraph (1) that, as a condition of employment

under the grant, the employee will--

- (a) Abide by the terms of the statement; and
 - (b) Notify the employee in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under paragraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under paragraph 4(b), with respect to any employee who is so convicted--
- (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.
8. The grantee may insert in the space provided below the sites(s) for the performance of work done in connection with the specific grant:

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Place of Performance (Street address, city,
county, state, zip code)

Department of Housing & Human Services
618 Second Avenue / 700 Third Avenue
Seattle, Washington 98104

(1) To the best of its knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with the awarding of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph (i) of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Signature of Authorized Certifying Official

Norman B. Rice
Norman B. Rice, Mayor
City of Seattle, Washington

4/8/92
Date

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TIME AND DATE STAMP

Home Appropriation
SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY
THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

Sherry D Harris _____

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

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STATE OF WASHINGTON - KING COUNTY

20309
City of Seattle

-SS.

No. ORDINANCES 1

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

IO: 116292-116294

was published on

08/12/92

The amount of the fee charged for the foregoing publication is the sum of \$, which amount has been paid in full.

C. Trent

Subscribed and sworn to before me on

08/12/92

John M. Hallagan

Notary Public for the State of Washington,
residing in Seattle

City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on August 3, 1992, and published here by title only, will be mailed, at no cost, upon request for two months after this publication. For further information, contact the Seattle City Clerk at 694-5354.

ORDINANCE NO. 116292

Relating to the HOME program; accepting a \$3,928,000 grant from the United States Department of Housing and Urban Development; authorizing execution of a HOME Investment Partnership Agreement and related documents; establishing a new account of the Low-Income Housing Fund for the deposit of the HOME grant and program income received; appropriating HOME funds for housing programs; authorizing the Mayor and Director of the Department of Housing and Human Services to implement HOME programs; and ratifying and confirming prior acts.

ORDINANCE NO. 116293

Appropriating money to pay certain audited claims and ordering the payment thereof.

ORDINANCE NO. 116294

Appropriating money to pay certain audited claims and ordering the payment thereof.

Publication ordered by R. MORALEJA, Comptroller & City Clerk.

Date of official publication in the Daily Journal of Commerce, Seattle, August 12, 1992.

Affidavit of Publication

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