

Ordinance No. 123013

Council Bill No. 116538

AN ORDINANCE relating to low-income housing requesting that a special election be held concurrent with the November 2009 general election for submission to the qualified electors of the City of a proposition to lift the limit on regular property taxes under Chapter 84.55 RCW in order to authorize the City to levy additional taxes for low-income housing for up to seven (7) years; providing for interim financing pending tax receipts; creating a levy oversight committee; providing for implementation of programs with funds derived from the taxes authorized; and ratifying and confirming certain prior acts.

CF No. \_\_\_\_\_

Date Introduced:		
Date 1st Referred:	To: (committee) <u>Committee of the whole</u>	
<u>5-26-09</u>		
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
<u>6-15-09</u>	<u>8-0</u>	
Date Presented to Mayor:	Date Approved:	
<u>6-16-09</u>	<u>6-22-09</u>	
Date Returned to City Clerk:	Date Published:	T.O. <input type="checkbox"/>
<u>6-24-09</u>	<u>13P</u>	F.T. <input checked="" type="checkbox"/>
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

# The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: [Signature] Councilmember

## Committee Action:

6/11/09 Pass as amended 8-0  
(RC, TS, SC, SD, JG, BH, NL, RM)

6-15-09 Pass as amended <sup>2M</sup> 8-0 (TR excused)

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_ (initial/date)

*Law Department*

Law Dept. Review      OMP Review      City Clerk Review      Electronic Copy Loaded      Indexed

ORDINANCE 123013

AN ORDINANCE relating to low-income housing; requesting that a special election be held concurrent with the November 2009 general election for submission to the qualified electors of the City of a proposition to lift the limit on regular property taxes under Chapter 84.55 RCW in order to authorize the City to levy additional taxes for low-income housing for up to seven (7) years; providing for interim financing pending tax receipts; creating a levy oversight committee; providing for implementation of programs with funds derived from the taxes authorized; and ratifying and confirming certain prior acts.

WHEREAS, the \$86,000,000 housing levy authorized in Ordinance 120823 and approved by the voters in 2002 (the "2002 Levy") expires with the collection of 2009 property taxes; and

WHEREAS, the 2002 levy had a production goal of 1,718 rental units, and as of December 2008 the City has approved 2002 Levy funding for the production or preservation of 1,814 rental units, as well as assisted 211 first-time homebuyers and 4,146 renter households at risk of homelessness; and

WHEREAS, the \$59,211,000 housing levy authorized in Ordinance 117711 and approved by the voters in 1995 had a production goal of 1,360 units, and over 2,632 units were actually produced or preserved by leveraging other funds; and

WHEREAS, the \$49,975,000 housing levy authorized in Ordinance 112904 and approved by the voters in 1986 had a production goal of 1,000 units, and over 1,800 units were actually produced or preserved by leveraging other funds; and

WHEREAS, the \$48,178,000 low-income elderly and handicapped housing bond issue authorized in Ordinance 110124 and approved by the voters in 1981 had a production goal of 1,000 units, and 1,198 units were actually produced or preserved; and

1 WHEREAS, substantial need remains for additional low-income housing and assistance  
2 to help low-income persons access housing they can afford, as documented in the Housing  
3 Appendix to the Comprehensive Plan and the City's 2009-2012 Consolidated Plan; and

4 WHEREAS, Chapter 84.55 RCW generally limits the dollar amount of regular property  
5 taxes that a city may levy in any year, but RCW 84.55.050 allows a city to levy taxes exceeding  
6 such limit by majority approval of the voters, and allows a city to include in the ballot  
7 proposition a limit on the purpose for which the additional taxes levied will be used and to  
8 provide for the expiration of the additional taxing authority; and

9 WHEREAS, RCW 35.21.685 authorizes a city to assist in the development or  
10 preservation of publicly or privately owned housing for persons of low income by providing  
11 loans or grants of general municipal funds to the owners or developers of the housing, including  
12 loans or grants to finance the acquisition, construction or rehabilitation of low-income housing;

13  
14 NOW THEREFORE,

15  
16 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

17 Section 1. Findings. The City Council makes the following findings and declares as  
18 follows:

19 A. The City of Seattle has insufficient safe, sanitary, and decent housing affordable to  
20 low-income households to meet the present and anticipated needs of such households, as  
21 documented in the Housing Appendix to the Comprehensive Plan and the City's 2009-2012  
22 Consolidated Plan.

23  
24 B. Affordable rental housing for low-income households, including the homeless, other  
25 persons with special needs, families and seniors, often requires a commitment of City funds for  
26 development or preservation, or other forms of assistance.

1 C. Promoting home ownership through loans to low-income first-time homebuyers,  
2 coupled with homeownership counseling, helps create financial stability for families and mixed  
3 income neighborhoods.

4 D. Providing funding for acquisition or preservation of buildings or property for low-  
5 income housing is critical to take advantage of current housing market conditions.

6 E. Providing funding to help develop, preserve and finance housing affordable to low-  
7 income renters and homebuyers helps create jobs and generate significant income received by  
8 construction workers and local business owners.

9 F. The additional taxes to be levied under this ordinance will enable the City to provide  
10 for the housing needs of low-income households and thereby to fulfill the purposes of federal,  
11 State, County and City laws and policies, including without limitation the federal HOME  
12 Investment Partnerships Act, the State Growth Management Act ("GMA"), the Countywide  
13 Policies adopted under GMA, and the City's Comprehensive Plan.

14 Section 2. Definitions. The following terms used in this ordinance shall have the  
15 definitions stated below unless the context otherwise clearly requires:

16 "Low-income housing" means housing that will serve "low-income households."

17 "Household" means a single person, family or unrelated persons living together.

18 "Low-income household" means a household with income less than or equal to eighty  
19 percent (80%) of median income.

20 "Median income" means annual median family income for the statistical area or division  
21 thereof including Seattle for which median family income is published from time to time by the  
22 U.S. Department of Housing and Urban Development, or successor agency, with adjustments

1 according to household size in a manner determined by the Director of Housing, provided that if  
2 an Administrative and Financial Plan adopted under Section 6 of this ordinance shall adopt a  
3 substitute definition of “median income,” the substitute definition shall apply.  
4

5 To the extent permitted by applicable State law, income determinations may take into  
6 account such exclusions, adjustments and rules of computation as may be prescribed or used  
7 under federal housing laws, regulations or policies for purposes of establishing income limits, or  
8 as may be established in City planning documents consistent with federal laws, regulations or  
9 policies.  
10

11 Section 3. Proposition to Authorize Levy of Additional Regular Property Taxes.  
12

13 The City submits to the qualified electors of the City a proposition as authorized by RCW  
14 84.55.050(1), to exceed the levy limitation on regular property taxes contained in RCW Chapter  
15 84.55 for property taxes levied in 2009 through 2015 for collection in 2010 through 2016,  
16 respectively, raising up to \$145,000,000 in aggregate over a period of up to seven years. The  
17 proposition shall be limited so that the City shall not levy more than \$20,714,286 in additional  
18 taxes each year. All the levy proceeds shall be used for the purposes specified in Section 5.A. of  
19 this ordinance. The taxes authorized by this proposition will be in addition to the maximum  
20 amount of regular property taxes the City would have been limited to by RCW 84.55.010 in the  
21 absence of voter approval under this ordinance, plus other authorized lid lifts. If the voters  
22 approve the proposition submitted by this ordinance, the maximum total dollar rate for City of  
23 Seattle regular property taxes for collection in 2010 shall be a total maximum of \$ 3.60 per  
24 thousand dollars of assessed valuation. The dollar amount of the City’s levy of regular property  
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1 taxes in 2009 for collection in 2010, including the increase authorized under this section, shall be  
2 used for the purpose of computing the limitations for subsequent levies provided for in RCW  
3 Chapter 84.55, through and including the levy of taxes in 2015 for collection in 2016. Pursuant  
4 to RCW 84.55.050(5), the maximum regular property taxes that may be levied in 2016 for  
5 collection in 2017 and in later years shall be computed as if the limit on regular property taxes  
6 had not been increased under this ordinance.  
7

8 Section 4. Levy Revenues.

9 A. Unless otherwise directed by ordinance, all revenues collected from the additional  
10 taxes authorized pursuant to this ordinance shall be deposited in the Low-Income Housing Fund  
11 to be used to finance housing for low-income households and otherwise to provide for the  
12 housing needs of such households. The Director of Executive Administration is authorized to  
13 create other subfunds or accounts within the Low-Income Housing Fund as may be needed or  
14 appropriate to implement the purposes of this ordinance.  
15

16 B. Pending expenditure for the purposes authorized in this ordinance, amounts deposited  
17 in the Low-Income Housing Fund pursuant to this ordinance may be invested in any investments  
18 permitted by applicable law. All investment earnings on the balances shall be deposited into the  
19 Low-Income Housing Fund. Amounts received by the City from payments with respect to loans,  
20 recovery of grants, insurance proceeds or proceeds of sale or disposition of property ("program  
21 income") shall be deposited into the Low-Income Housing Fund unless otherwise specified by  
22 ordinance. The Director of Housing shall use any investment earnings and program income  
23 derived from revenues collected from the additional taxes authorized pursuant to this ordinance  
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1 consistent with the provisions of any Administrative and Financial Plan (“A & F Plan”) adopted  
2 by the City Council under Section 6 of this ordinance.

3 Section 5. Administration; Use of Proceeds.

4 A. The levy funds shall be used to finance affordable housing for low-income  
5 households, and otherwise to provide for the housing needs of low-income households.

6 B. The City Office of Housing, or such other department as may be designated by  
7 ordinance, shall administer programs funded with the additional taxes authorized  
8 pursuant to this ordinance. Programs adopted by the City Council for use of the funds  
9 derived under this ordinance shall be referred to as "Levy Programs." Levy Programs  
10 shall be implemented consistent with Administrative and Financial Plans, adopted by the  
11 City Council under Section 6 of this ordinance.  
12

13 C. Anticipated Levy Programs are shown in Exhibit 1, attached hereto. The City  
14 Council, upon recommendation of the Oversight Committee described in Section 9 of this  
15 ordinance, or upon recommendation of the Mayor, or on its own motion, may review the  
16 timing of the allocations to particular Levy Programs and make changes to the programs,  
17 including additions and deletions of programs and/or in the amount of funds allocated to  
18 any program, consistent with the basic purposes of this ordinance and applicable law.  
19

20 Administration funding shown on Exhibit 1 is intended to be used for administration of  
21 the use of levy proceeds for all programs except the Operating and Maintenance Program.  
22 Administration funding for the Operating and Maintenance Program, for the monitoring  
23 of funded projects over their lives, and for any use of loan repayments, may come from  
24 investment earnings or program income.  
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1           Section 6. Administrative and Financial Plans.

2           A. Every two years, or at such other intervals as the City Council may specify, the  
3 Director of Housing, or other department head as may be designated by the Mayor, shall prepare  
4 an A & F Plan covering all of the Levy Programs. Such plans shall cover periods commencing  
5 in 2010 and continuing through 2016, and thereafter if so specified by the City Council.

6           B. Unless otherwise requested by the City Council, each A & F Plan shall include:  
7 amounts allocated to programs, which may vary from year to year in order to respond to  
8 changing housing market conditions, leveraging opportunities or other circumstances; criteria for  
9 evaluating and selecting projects; guidelines for loans or grants, including any fees to be  
10 collected to defray costs; requirements for project sponsors; progress and performance reports on  
11 ongoing projects and for each Levy Program; program reviews to ensure that levy funds are used  
12 for their stated purposes; and guidelines for use of program income and investment earnings.  
13 An A & F Plan may include such other information as the Mayor or Director of Housing may  
14 deem appropriate or the City Council may request.

15           C. The A & F Plan shall be submitted to the City Council for its approval, with such  
16 modifications as the City Council may require. For purposes of future updates of the A & F  
17 Plan, all criteria, guidelines, and requirements contained in a previously approved A & F Plan  
18 shall remain in effect pending approval by City Council of a new A & F Plan, unless otherwise  
19 provided by ordinance.

20           Section 7. Appropriations and Funding Approvals. The City Council shall appropriate  
21 from the Low-Income Housing Fund, as part of the City budget or supplementally, such monies  
22 derived from the levies authorized in this ordinance as it deems necessary to carry out the Levy  
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1 Programs. The Director of Housing or other department head as may be designated by the  
2 Mayor or City Council, or the designee of such director (any such director or designee is  
3 hereinafter referred to as "Director"), is authorized, for and on behalf of the City, to select  
4 projects for funding and to approve, make and modify loans, grants or other expenditures to  
5 carry out the Levy Programs, provided that such authority is subject to the appropriation of  
6 sufficient funds. The Director and his or her designees are further authorized, for and on behalf  
7 of the City, to execute and deliver such documents and instruments as he or she may determine  
8 to be necessary or appropriate to implement the financing of specific projects or to otherwise  
9 carry out the Levy Programs.  
10

11 Section 8. Bonds and Notes. To the extent permitted by applicable law the City may  
12 issue bonds, notes or other evidences of indebtedness payable wholly or in part from the  
13 proceeds of the additional taxes authorized under this ordinance, and apply such tax proceeds to  
14 the payment of principal of, interest on, and premium (if any) on such bonds, notes or other  
15 evidences of indebtedness and to the payment of costs associated with them.  
16

17 Section 9. Oversight Committee.

18 A. Conditioned upon voter approval of the ballot proposition submitted by this  
19 ordinance, there is established an Oversight Committee for the purpose of monitoring the  
20 progress of Levy Programs and reporting to the Mayor and City Council on the progress of Levy  
21 Programs. The Committee shall inform the Mayor and the City Council of Levy Program  
22 accomplishments and problems and make recommendations on the A & F Plans and on actions  
23 to be taken, including additions to or deletions of programs or amounts of funds allocated to the  
24 several programs, so that Levy Programs may be conducted in a timely and efficient manner.  
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1 The Committee may elect officers and establish rules of procedure, including rules establishing  
2 what shall constitute a quorum. The Director of Housing or such other department head as may  
3 be designated by the Mayor shall provide the Committee such information as is necessary for the  
4 Committee to determine the status of individual programs and projects. The Oversight  
5 Committee shall consist of thirteen (13) voting members, selected as follows: one (1) shall be a  
6 City employee appointed by the Mayor or his designee; one (1) shall be a City employee  
7 appointed by the City Council; the remainder shall be persons outside City government, of whom  
8 six (6) shall be appointed by the Mayor, and five (5) by the City Council. The appointing  
9 authority shall remove any member who is absent from two or more consecutive meetings  
10 without cause. The appointing authority may remove any member for other good cause shown  
11 or to ensure compliance with subsection B of this section.  
12

13  
14 B. At all times no more than three (3) Committee members appointed by the Mayor and  
15 no more than two (2) Committee members appointed by the City Council shall be an officer,  
16 director, board member, trustee, partner or employee of an entity that receives or competes for  
17 funding under this ordinance; or be a member of the immediate family of, or an individual  
18 residing with, an officer, director, board member, trustee, partner or employee of an entity that  
19 receives or competes for funding under this ordinance; or be a person seeking or having an  
20 arrangement concerning future employment with an entity that receives or competes for funding  
21 under this ordinance. For the purposes of this ordinance an individual's "immediate family"  
22 means his or her spouse, domestic partner, child, child of a spouse or domestic partner, brother-  
23 in-law, sister-in-law, parent, parent of a spouse or domestic partner, a person for whom the  
24 individual acts as a guardian, or a person claimed as a dependent on the individual's most recent  
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1 federal income tax return. Subject to the preceding sentence and applicable law, an individual  
2 serving as an officer, director, board member, trustee, partner or employee of an entity that  
3 receives or competes for funding under this ordinance, or who has an interest in such an entity,  
4 shall not thereby be disqualified from serving on the Committee, but shall fully disclose any such  
5 relationships and shall not vote on any matter in which the interest of such entity is directly  
6 involved. For purposes of this section, "entity" does not include a City department or office.

7  
8 C. Upon the resignation, retirement, death, incapacity or removal of a Committee  
9 member, the authority appointing such member may appoint a replacement for the balance of the  
10 term. Committee members shall serve without compensation.

11 D. The City Council shall prescribe by ordinance or resolution the terms of office of  
12 Committee members, which may be staggered to provide continuity, and the initial committee  
13 members shall be selected within six months after voter approval of the proposition submitted by  
14 this ordinance. The City Council may prescribe such other rules relating to the operation of the  
15 Committee as shall be necessary or appropriate.

16  
17 E. The Oversight Committee shall continue in existence through 2016, and thereafter if  
18 so provided by ordinance.

19  
20 Section 10. Election - Ballot Title. The City Council directs that the City Clerk file  
21 this ordinance with the Director of Elections of King County, Washington, as ex officio  
22 supervisor of elections, requesting that the Director of Elections call and conduct a special  
23 election in the City in conjunction with the state general election to be held on November 3,  
24 2009, for the purpose of submitting to the qualified electors of the City the proposition set forth  
25 in this ordinance. The City Clerk is directed to certify to the King County Director of Elections  
26

1 the ballot title approved by the City Attorney in accordance with his responsibilities under RCW  
2 29A.26.071. The following ballot title is submitted to the City Attorney for his consideration:

3 Seattle's Proposition 1 concerns increased property taxes for 7 years for low-income housing  
4 assistance.

5 This proposition would fund affordable housing and provide for other housing needs of low-  
6 income households, as provided in Ordinance XXX. It would authorize collection of regular  
7 property taxes above RCW 84.55 limitations. This proposition allows \$145,000,000 in  
8 additional taxes over seven years beginning in 2010, limited to \$20,714,286 annually. The 2010  
9 regular tax rate would be limited to \$3.60 per \$1,000 assessed value, including about \$.17 in  
10 additional taxes.

11 Should this levy lid lift be approved?

12 Yes

13 No

14 Those in favor shall vote "Yes"; those opposed shall mark their ballots "No".

15 Section 11. Severability. If any one or more provisions of this ordinance shall for any  
16 reason be held invalid, such invalidity shall not affect any other provision of this ordinance or the  
17 levy of additional taxes authorized, but this ordinance shall be construed and enforced as if such  
18 invalid provisions had not been contained herein, except that if any provision shall be held  
19 invalid by reason of its extent or the range of persons eligible to benefit therefrom, then such  
20 provision shall be deemed to be in effect to the extent permitted by law and to benefit only such  
21 class of persons as may lawfully be granted the benefit thereof.

22 Section 12. Ratification. The City Clerk's certification to the King County Director of  
23 Elections of the proposition referred to in Section 10 and any other acts taken after the passage of  
24 this ordinance and consistent with its authority, are ratified and confirmed.  
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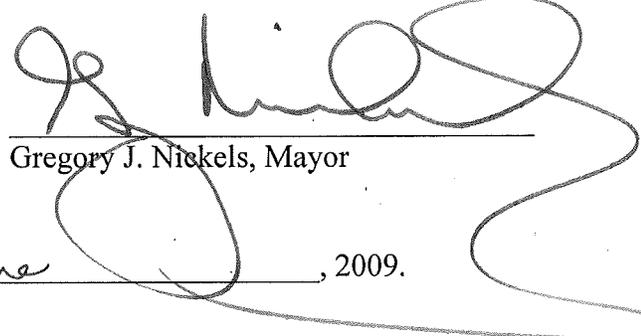
1           Section 13. Effectiveness. Those portions of this ordinance providing for the submission  
2 of a ballot proposition to the voters shall take effect and be in force immediately upon the  
3 approval by the Mayor; or if returned to the Council by the Mayor unsigned, then immediately  
4 upon its return; or if not approved and returned by the Mayor within 10 days after presentation,  
5 then on the 11<sup>th</sup> day after its presentation to the Mayor; or if vetoed by the Mayor, then  
6 immediately after its passage over his veto. All provisions of this ordinance that have not taken  
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1 effect on an earlier date shall take effect and be in force thirty (30) days from and after the  
2 Mayor's approval of this ordinance, but if this ordinance shall not be approved and returned by  
3 the Mayor within ten (10) days after presentation, such provisions shall take effect as provided  
4 by Municipal Code Section 1.04.020.

5 Passed by the City Council the 15<sup>th</sup> day of June, 2009, and  
6 signed by me in open session in authentication of its passage this  
7 15<sup>th</sup> day of June, 2009.

8  
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10   
11 President \_\_\_\_\_ of the City Council

12 Approved by me this 22<sup>nd</sup> day of June, 2009.

13  
14   
15 \_\_\_\_\_  
16 Gregory J. Nickels, Mayor

17 Filed by me this 24<sup>th</sup> day of June, 2009.

18  
19  
20   
21 Acting City Clerk

(Seal)

22 Exhibit 1: 2009 Housing Levy Programs  
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**EXHIBIT 1**  
**2009 HOUSING LEVY PROGRAMS**

Program	Total Funding (7 Years)	Estimated Housing Produced/ Households Assisted	Program Description / Affordability Levels
Rental Production and Preservation	\$104,000,000	1,670	<ul style="list-style-type: none"> <li>• Affordable rental housing for low-income households, including people with disabilities, the elderly, homeless, working families, and families with children</li> <li>• At least 60% of program funding for housing serving households at or below 30% of area median income</li> <li>• No more than 10% of program funding for housing serving households with incomes of 61% -80% of area median income.</li> </ul>
Operating and Maintenance (O&M)	\$14,400,000	220	<ul style="list-style-type: none"> <li>• Building operating support provided to owners of Levy-funded housing for 20 years, supplementing rent for residents at or below 30% of area median income</li> </ul>
Rental Assistance	\$4,248,000	605 households each year	<ul style="list-style-type: none"> <li>• Assistance to families and individuals up to 50% of area median income to help preserve their housing, preventing eviction and homelessness</li> </ul>
Acquisition and Opportunity (A&O) Loans	\$6,500,000 <i>Not included in \$145 million total.</i>	175	<ul style="list-style-type: none"> <li>• Short-term acquisition loans for strategic purchases of buildings or land for rental or homeownership housing development that will serve low-income households</li> <li>• Loans made with funds that are not yet needed for other levy programs</li> </ul>
Homebuyer Assistance	\$9,090,000	180	<ul style="list-style-type: none"> <li>• Assistance to first-time homebuyers with incomes at or below 80% of area median income including program models that promote the long term affordability of the housing produced.</li> </ul>
Administration	\$13,262,000	N/A	

**EXHIBIT 1**  
**2009 HOUSING LEVY PROGRAMS**

TOTALS	\$145,000,000 <sup>1</sup>	1,850 housing units and 3420 households	<ul style="list-style-type: none"> <li>• Housing units funded by Rental Production and Preservation and Homebuyer Assistance programs.</li> <li>• Households assisted by Rental Assistance, Operating &amp; Maintenance, and Acquisition &amp; Opportunity Loan funds.</li> </ul>
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Exhibit 1: Housing Levy Programs

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<sup>1</sup> \$145 million total does not include \$6.5 million for Acquisition and Opportunity Loans because these are intended as only short-term uses of funds, and repayments are included in the amounts shown for other levy programs.  
Exhibit 1 611TR – v.2 June 12, 2009

**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
Office of Housing	Rick Hooper #4-0338	Amanda Allen #4-8894

**Legislation Title:**

AN ORDINANCE relating to low-income housing; requesting that a special election be held concurrent with the November 2009 general election for submission to the qualified electors of the City of a proposition to lift the limit on regular property taxes under Chapter 84.55 RCW in order to authorize the City to levy additional taxes for low-income housing for up to seven (7) years; providing for interim financing pending tax receipts; creating a levy oversight committee; providing for implementation of programs with funds derived from the taxes authorized; and ratifying and confirming certain prior acts.

• **Summary of the Legislation:**

The proposed ordinance would submit a \$145,000,000, seven-year housing levy package to the voters of Seattle for their approval in the fall of 2009. The proposed levy would be raised under the provisions of RCW 84.55.050, which allows a city to obtain voter approval to exceed the "lid" on regular property taxes for any purposes. Levy proceeds would be used for the following anticipated programs, subject to any changes approved by the Council:

- **Rental Preservation and Production: \$104,000,000**  
Capital funding for production of affordable rental housing serving a range of housing needs.
- **Operating and Maintenance: \$14,400,000**  
Funding to help preserve rental housing serving the most needy.
- **Rental Assistance: \$4,248,000**  
Funding to help preserve existing housing to prevent eviction and homelessness.
- **Homebuyer Assistance: \$9,090,000**  
Loans to low-income homebuyers.
- **Acquisition and Opportunity Loans: \$6,500,000\***  
Loans to facilitate strategic purchases of land or buildings for use as low-income housing---take advantage of current economic conditions; \*This program does not receive separate funding but can use all levy program funding, including interest earnings, to fund short term loans.
- **Administration: \$13,262,000**  
Funding for administration of all programs except the Operating and Maintenance (O & M) program; administration funding for the O & M Program will come from interest earnings on O & M Program fund balances ---consistent with the way administration funding for the O & M Program has been handled for previous housing levies.

- **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

The current housing levy, approved by voters in 2002, expires at the end of 2009. Despite the success of the 2002 and prior levies in exceeding their housing production goals, Seattle has insufficient safe, sanitary, and decent housing affordable to low-income households to meet the present and anticipated needs of such households, as documented in the City's 2009-2012 Consolidated Plan. Rents and home prices have risen faster than incomes, making it hard for working people to find affordable housing in the city, even under current economic conditions. The homeless population, people with disabilities, and the low-income elderly have unmet housing needs. The proposed levy will enable the City to continue to address Seattle's low-income housing needs.

Previously, Seattle voters have approved:

- \$86 million housing levy in 2002;
- \$59.21 million housing levy in 1995;
- \$49.98 million housing levy in 1986; and
- \$48 million bond issue for senior housing in 1981.

- *Please check one of the following:*

**This legislation does not have any financial implications.** *(Stop here and delete the remainder of this document prior to saving and printing.)*

**This legislation has financial implications.** *(Please complete all relevant sections that follow.)*

This legislation does not directly result in appropriation or position changes. If the proposed levy is passed by Seattle's citizens, the Office of Housing's 2010 budget appropriation as adopted by the City Council will reflect the corresponding appropriation and revenue amounts in 2010 and subsequent years. Passage of the proposed levy would not result in staffing changes, instead, OH's levy staffing in 2009 would remain at the same level in 2010 as in 2009. The overall implications of the proposed levy by program are highlighted in Exhibit 1 of the ordinance and Attachment 1 to the fiscal note. Anticipated revenues generated as a direct result of the passage of the levy are also outlined in Attachment 1 to this fiscal note.

- **What is the financial cost of not implementing the legislation?** *(Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented.)*

The current 2002 housing levy expires with the collection of the 2009 property taxes. The City's capacity to respond to low-income housing needs and related issues will be significantly reduced starting in 2010 if this legislation is not implemented.

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** *(Include any potential alternatives to the proposed legislation, such as reducing fee-supported activities, identifying outside funding sources for fee-supported activities, etc.)*

There are no other funding sources available to the City that will accomplish these objectives. Our declining economy has decreased the amount of General Subfund revenue available for general government activities, making it an unfeasible funding source for Housing Levy programs.

- **Is the legislation subject to public hearing requirements:** *(If yes, what public hearings have been held to date, and/or what plans are in place to hold a public hearing(s) in the future.)*

City Council has prepared a Housing Levy Renewal Committee of the Whole schedule to review the proposed levy. A public hearing, although not required, was held on May 12, 2009.

- **Other Issues** *(including long-term implications of the legislation):*

**Please list attachment to the fiscal note below:**

ATTACHMENT 1: Sources and Uses of Funds – Proposed 2009 Housing Levy

ATTACHMENT 1: Sources and Uses of Funds – Proposed 2009 Housing Levy

The following table describes the levy proceeds and interest earnings estimates during 2010 through 2016, based on the 2002 Housing Levy Program cash flow and projected interest rates.

	2010	2011	2012	2013	2014	2015	2016	TOTAL:
<b>Revenue Sources</b> (in \$000s):								
Levy Proceeds	\$20,714	\$20,714	\$20,714	\$20,714	\$20,714	\$20,714	\$20,714	\$145,000
Estimated Interest Earnings*	\$134	\$451	\$665	\$805	\$966	\$1,125	\$1,223	\$5,369
<b>Total Sources:</b>	<b>\$20,848</b>	<b>\$21,165</b>	<b>\$21,379</b>	<b>\$21,519</b>	<b>\$21,680</b>	<b>\$21,839</b>	<b>\$21,937</b>	<b>\$150,369</b>
<b>Funding Uses</b> (in \$000s):								
Rental Pres & Production	\$14,810	\$15,321	\$15,528	\$15,621	\$15,701	\$15,769	\$15,786	\$108,536
Operating and Maintenance	\$3,012	\$2,625	\$1,782	\$1,827	\$1,908	\$1,999	\$2,080	\$14,400
Rental Assistance	\$0	\$0	\$849	\$850	\$850	\$850	\$850	\$4,248
Acquisition & Opp Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$6.50
Homebuyer Assistance	\$1,131	\$1,326	\$1,326	\$1,326	\$1,327	\$1,327	\$1,327	\$9,090
Administration	\$1,894	\$1,894	\$1,894	\$1,895	\$1,895	\$1,895	\$1,895	\$13,262
<b>Total Uses:</b>	<b>\$20,848</b>	<b>\$21,165</b>	<b>\$21,379</b>	<b>\$21,519</b>	<b>\$21,680</b>	<b>\$21,839</b>	<b>\$21,937</b>	<b>\$150,369**</b>

\* The interest rates assumed are: 1.65% in 2010, 2.44% in 2011, 3.60% in 2012, 4.12% in 2013, 4.57% in 2014, 4.95% in 2015, 5.04% in 2016.

\*\* Acquisition and Opportunity Fund program funding of \$6.5 million is not included in total as it does not receive separate funding but will use existing funding from other levy programs, including interest earnings.



# City of Seattle

Gregory J. Nickels, Mayor

## Office of the Mayor

April 28, 2009

Honorable Richard Conlin  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

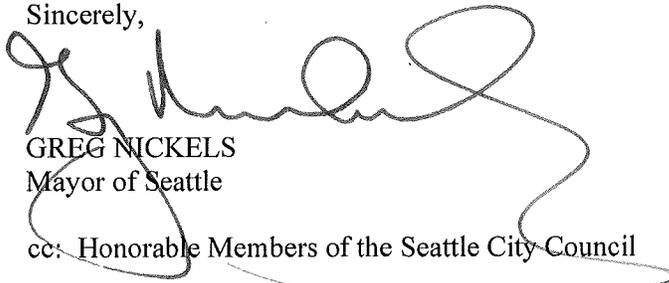
Dear Council President Conlin:

I am pleased to transmit the attached proposed Ordinance asking Seattle voters to renew the Seattle Housing Levy. The proposed 2009 Housing Levy renews our commitment to affordable housing at a time of economic challenges for our city. Now more than ever we should ensure the continuation of vital programs that help struggling families and individuals keep a roof over their heads. Over the next seven years the Housing Levy will develop or preserve 1,670 units of rental housing, creating homes for people earning low wages, seniors and people with disabilities. It will provide emergency rent assistance for 3,850 households, preventing eviction and homelessness. And it will help 180 first-time homebuyers purchase a home in the community where they work. The Levy will leverage millions of dollars in public and private investment in affordable housing, and create thousands of critically needed jobs.

The Ordinance submits a proposition to voters to approve additional property taxes of \$20,714,286 annually for seven years, beginning in 2010. The \$145 million Housing Levy will respond to critical housing needs by funding production and preservation of low-income housing, assistance for homeownership, assistance to households at risk of homelessness, and a fund for strategic property or building acquisition for low income housing. The Ordinance establishes a financing plan to guide use of funds and a citizen oversight committee.

Seattle has a noble tradition of assisting neighbors in need. This compassionate city began its support for affordable housing in 1981 with a bond issue to build homes for low-income seniors. Our support for affordable housing has continued through three renewals of the Seattle Housing Levy in 1986, 1995, and 2002. Each of these programs has been highly successful, exceeding goals for creation of affordable housing and assisting people in need. Levy-funded housing is well designed and maintained, providing affordable homes throughout Seattle for 50 years or more – a legacy we leave for future residents of our city. Building on these successes is especially important in our current economy when the need for housing assistance and community investment is increasing. Thank you for your consideration of this legislation. Should you have any questions, please contact Adrienne Quinn, Director of the Office of Housing, at 615-1561.

Sincerely,



GREG NICKELS  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7<sup>th</sup> Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 615-0476 Fax: (206) 684-5360, Email: [mayors.office@seattle.gov](mailto:mayors.office@seattle.gov)

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**STATE OF WASHINGTON – KING COUNTY**

--SS.

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240882  
CITY OF SEATTLE, CLERKS OFFICE

No.

**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 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

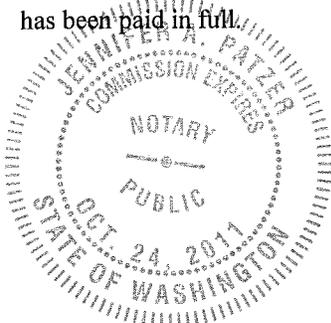
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:ORD 123013 LOW-INCOME

was published on

06/29/09

The amount of the fee charged for the foregoing publication is the sum of \$ 686.28, which amount has been paid in full.



*[Signature]*  
Subscribed and sworn to before me on  
06/29/09 *[Signature]*

Notary public for the State of Washington,  
residing in Seattle

Affidavit of Publication

# City of Seattle

## ORDINANCE 123013

AN ORDINANCE relating to low-income housing; requesting that a special election be held concurrent with the November 2009 general election for submission to the qualified electors of the City of a proposition to lift the limit on regular property taxes under Chapter 84.56 RCW in order to authorize the City to levy additional taxes for low-income housing for up to seven (7) years; providing for interim financing pending tax receipts; creating a levy oversight committee; providing for implementation of programs with funds derived from the taxes authorized; and ratifying and confirming certain prior acts.

WHEREAS, the \$86,000,000 housing levy authorized in Ordinance 120823 and approved by the voters in 2002 (the "2002 Levy") expires with the collection of 2009 property taxes; and

WHEREAS, the 2002 levy had a production goal of 1,718 rental units, and as of December 2008 the City has approved 2002 Levy funding for the production or preservation of 1,814 rental units, as well as assisted 211 first-time homebuyers and 4,146 renter households at risk of homelessness; and

WHEREAS, the \$59,211,000 housing levy authorized in Ordinance 117711 and approved by the voters in 1996 had a production goal of 1,360 units, and over 2,632 units were actually produced or preserved by leveraging other funds; and

WHEREAS, the \$49,975,000 housing levy authorized in Ordinance 112904 and approved by the voters in 1986 had a production goal of 1,000 units, and over 1,800 units were actually produced or preserved by leveraging other funds; and

WHEREAS, the \$48,178,000 low-income elderly and handicapped housing bond issue authorized in Ordinance 110124 and approved by the voters in 1981 had a production goal of 1,000 units, and 1,198 units were actually produced or preserved; and

WHEREAS, substantial need remains for additional low-income housing and assistance to help low-income persons access housing they can afford, as documented in the Housing Appendix to the Comprehensive Plan and the City's 2009-2012 Consolidated Plan; and

WHEREAS, Chapter 84.56 RCW generally limits the dollar amount of regular property taxes that a city may levy in any year, but RCW 84.56.050 allows a city to levy taxes exceeding such limit by majority approval of the voters, and allows a city to include in the ballot proposition a limit on the purpose for which the additional taxes levied will be used and to provide for the expiration of the additional taxing authority; and

WHEREAS, RCW 35.21.685 authorizes a city to assist in the development or preservation of publicly or privately owned housing for persons of low income by providing loans or grants of general municipal funds to the owners or developers of the housing, including loans or grants to finance the acquisition, construction or rehabilitation of low-income housing;

### NOW THEREFORE,

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

Section 1. Findings. The City Council makes the following findings and declares as follows:

A. The City of Seattle has insufficient safe, sanitary, and decent housing affordable to low-income households to meet the present and anticipated needs of such households, as documented in the Housing Appendix to the Comprehensive Plan and the City's 2009-2012 Consolidated Plan.

B. Affordable rental housing for low-income households, including the homeless, other persons with special needs, families and seniors, often requires a commitment of City funds for development or preservation, or other forms of assistance.

C. Promoting home ownership through loans to low-income first-time homebuyers, coupled with homeownership counseling, helps create financial stability for families and mixed income neighborhoods.

D. Providing funding for acquisition or preservation of buildings or property for low-income housing is critical to take advantage of current housing market conditions.

E. Providing funding to help develop, preserve and finance housing affordable to low-income renters and homebuyers helps create jobs and generate significant income received by construction workers and local business owners.

## State of Washington, King County

F. The additional taxes to be levied under this ordinance will enable the City to provide for the housing needs of low-income households and thereby to fulfill the purposes of federal, State, County and City laws and policies, including without limitation the federal HOME Investment Partnerships Act, the State Growth Management Act ("GMA"), the Countywide Policies adopted under GMA, and the City's Comprehensive Plan.

Section 2. Definitions. The following terms used in this ordinance shall have the definitions stated below unless the context otherwise clearly requires:

"Low-income housing" means housing that will serve "low-income households."

"Household" means a single person, family or unrelated persons living together.

"Low-income household" means a household with income less than or equal to eighty percent (80%) of median income.

"Median income" means annual median family income for the statistical area or division thereof including Seattle for which median family income is published from time to time by the U.S. Department of Housing and Urban Development, or successor agency, with adjustments according to household size in a manner determined by the Director of Housing, provided that if an Administrative and Financial Plan adopted under Section 6 of this ordinance shall adopt a substitute definition of "median income," the substitute definition shall apply.

To the extent permitted by applicable State law, income determinations may take into account such exclusions, adjustments and rules of computation as may be prescribed or used under federal housing laws, regulations or policies for purposes of establishing income limits, or as may be established in City planning documents consistent with federal laws, regulations or policies.

Section 3. Proposition to Authorize Levy of Additional Regular Property Taxes.

The City submits to the qualified electors of the City a proposition as authorized by RCW 84.56.050(1), to exceed the levy limitation on regular property taxes contained in RCW Chapter 84.56 for property taxes levied in 2009 through 2016 for collection in 2010 through 2016, respectively, raising up to \$145,000,000 in aggregate over a period of up to seven years. The proposition shall be limited so that the City shall not levy more than \$20,714,286 in additional taxes each year. All the levy proceeds shall be used for the purposes specified in Section 5.A. of this ordinance. The taxes authorized by this proposition will be in addition to the maximum amount of regular property taxes the City would have been limited to by RCW 84.56.010 in the absence of voter approval under this ordinance, plus other authorized lid lifts. If the voters approve the proposition submitted by this ordinance, the maximum total dollar rate for City of Seattle regular property taxes for collection in 2010 shall be a total maximum of \$3.60 per thousand dollars of assessed valuation. The dollar amount of the City's levy of regular property taxes in 2009 for collection in 2010, including the increase authorized under this section, shall be used for the purpose of computing the limitations for subsequent levies provided for in RCW Chapter 84.56, through and including the levy of taxes in 2015 for collection in 2016. Pursuant to RCW 84.56.050(5), the maximum regular property taxes that may be levied in 2016 for collection in 2017 and in later years shall be computed as if the limit on regular property taxes had not been increased under this ordinance.

### Section 4. Levy Revenues.

A. Unless otherwise directed by ordinance, all revenues collected from the additional taxes authorized pursuant to this ordinance shall be deposited in the Low-Income Housing Fund to be used to finance housing for low-income households and otherwise to provide for the housing needs of such households. The Director of Executive Administration is authorized to create other subfunds or accounts within the Low-Income Housing Fund as may be needed or appropriate to implement the purposes of this ordinance.

B. Pending expenditure for the purposes authorized in this ordinance, amounts deposited in the Low-Income Housing Fund pursuant to this ordinance may be invested in any investments permitted by applicable law. All investment earnings on the balances shall be deposited into the Low-Income Housing Fund. Amounts received by the City from payments with respect to loans, recovery of grants, insurance proceeds or proceeds of sale or disposition of property ("program income") shall be deposited into the Low-Income Housing Fund unless otherwise specified by ordinance. The Director of Housing shall use any investment earnings and program income derived from revenues collected from the additional taxes authorized pursuant to this ordinance consistent with the provisions of any Administrative and Financial Plan ("A & F Plan") adopted by the City Council under Section 6 of this ordinance.

### Section 5. Administration; Use of Proceeds.

A. The levy funds shall be used to finance affordable housing for low-income households, and otherwise to provide for the housing needs of low-income households.

B. The City Office of Housing, or such other department as may be designated by ordinance, shall administer programs funded with the additional taxes authorized pursuant to this ordinance. Programs adopted by the City Council for use of the funds derived under this ordinance shall be referred to as "Levy Programs." Levy Programs shall be implemented consistent with Administrative and Financial Plans, adopted by the City Council under Section 6 of this ordinance.

C. Anticipated Levy Programs are shown in Exhibit 1, attached hereto. The City Council, upon recommendation of the Oversight Committee described in Section 9 of this ordinance, or upon recommendation of the Mayor, or on its own motion, may review the timing of the allocations to particular Levy Programs and make changes to the programs, including additions and deletions of programs and/or in the amount of funds allocated to any program, consistent with the basic purposes of this ordinance and applicable law. Administration funding shown on Exhibit 1 is intended to be used for administration of the use of levy proceeds for all programs except the Operating and Maintenance Program. Administration funding for the Operating and Maintenance Program, for the monitoring of funded projects over their lives, and for any use of loan repayments, may come from investment earnings or program income.

### Section 6. Administrative and Financial Plans.

A. Every two years, or at such other intervals as the City Council may specify, the Director of Housing, or other department head as may be designated by the Mayor, shall prepare an A & F Plan covering all of the Levy Programs. Such plans shall cover periods commencing in 2010 and continuing through 2016, and thereafter if so specified by the City Council.

B. Unless otherwise requested by the City Council, each A & F Plan shall include: amounts allocated to programs, which may vary from year to year in order to respond to changing housing market conditions, leveraging opportunities or other circumstances; criteria for evaluating and selecting projects; guidelines for loans or grants, including any fees to be collected to defray costs; requirements for project sponsors; progress and performance reports on ongoing projects and for each Levy Program; program reviews to ensure that levy funds are used for their stated purposes; and guidelines for use of program income and investment earnings. An A & F Plan may include such other information as the Mayor or Director of Housing may deem appropriate or the City Council may request.

C. The A & F Plan shall be submitted to the City Council for its approval, with such modifications as the City Council may require. For purposes of future updates of the A & F Plan, all criteria, guidelines, and requirements contained in a previously approved A & F Plan shall remain in effect pending approval by City Council of a new A & F Plan, unless otherwise provided by ordinance.

Section 7. Appropriations and Funding Approvals. The City Council shall appropriate from the Low-Income Housing Fund, as part of the City budget or supplementally, such monies derived from the levies authorized in this ordinance as it deems necessary to carry out the Levy Programs. The Director of Housing or other department head as may be designated by the Mayor or City Council, or the designee of such director (any such director or designee is hereinafter referred to as "Director"), is authorized, for and on behalf of the City, to select projects for funding and to approve, make and modify loans, grants or other expenditures to carry out the Levy Programs, provided that such authority is subject to the appropriation of sufficient funds. The Director and his or her designees are further authorized, for and on behalf of the City, to execute and deliver such documents and instruments as he or she may determine to be necessary or appropriate to implement the financing of specific projects or to otherwise carry out the Levy Programs.

Section 8. Bonds and Notes. To the extent permitted by applicable law the City may issue bonds, notes or other evidences of indebtedness payable wholly or in part from the proceeds of the additional taxes authorized under this ordinance, and apply such tax proceeds to the payment of principal of, interest on, and premium (if any) on such

bonds, notes or other evidences of indebtedness and to the payment of costs associated with them.

Section 9. Oversight Committee.

A. Conditioned upon voter approval of the ballot proposition submitted by this ordinance, there is established an Oversight Committee for the purpose of monitoring the progress of Levy Programs and reporting to the Mayor and City Council on the progress of Levy Programs. The Committee shall inform the Mayor and the City Council of Levy Program accomplishments and problems and make recommendations on the A & F Plans and on actions to be taken, including additions to or deletions of programs or amounts of funds allocated to the several programs, so that Levy Programs may be conducted in a timely and efficient manner. The Committee may elect officers and establish rules of procedure, including rules establishing what shall constitute a quorum. The Director of Housing or such other department head as may be designated by the Mayor shall provide the Committee such information as is necessary for the Committee to determine the status of individual programs and projects. The Oversight Committee shall consist of thirteen (13) voting members, selected as follows: one (1) shall be a City employee appointed by the Mayor or his designee; one (1) shall be a City employee appointed by the City Council; the remainder shall be persons outside City government, of whom six (6) shall be appointed by the Mayor, and five (5) by the City Council. The appointing authority shall remove any member who is absent from two or more consecutive meetings without cause. The appointing authority may remove any member for other good cause shown or to ensure compliance with subsection B of this section.

B. At all times no more than three (3) Committee members appointed by the Mayor and no more than two (2) Committee members appointed by the City Council shall be an officer, director, board member, trustee, partner or employee of an entity that receives or competes for funding under this ordinance; or be a member of the immediate family of, or an individual residing with, an officer, director, board member, trustee, partner or employee of an entity that receives or competes for funding under this ordinance; or be a person seeking or having an arrangement concerning future employment with an entity that receives or competes for funding under this ordinance. For the purposes of this ordinance an individual's "immediate family" means his or her spouse, domestic partner, child, child of a spouse or domestic partner, brother-in-law, sister-in-law, parent, parent of a spouse or domestic partner, a person for whom the individual acts as a guardian, or a person claimed as a dependent on the individual's most recent federal income tax return. Subject to the preceding sentence and applicable law, an individual serving as an officer, director, board member, trustee, partner or employee of an entity that receives or competes for funding under this ordinance, or who has an interest in such an entity, shall not thereby be disqualified from serving on the Committee, but shall fully disclose any such relationships and shall not vote on any matter in which the interest of such entity is directly involved. For purposes of this section, "entity" does not include a City department or office.

C. Upon the resignation, retirement, death, incapacity or removal of a Committee member, the authority appointing such member may appoint a replacement for the balance of the term. Committee members shall serve without compensation.

D. The City Council shall prescribe by ordinance or resolution the terms of office of Committee members, which may be staggered to provide continuity, and the initial committee members shall be selected within six months after voter approval of the proposition submitted by this ordinance. The City Council may prescribe such other rules relating to the operation of the Committee as shall be necessary or appropriate.

E. The Oversight Committee shall continue in existence through 2016, and thereafter if so provided by ordinance.

Section 10. Election - Ballot Title. The City Council directs that the City Clerk file this ordinance with the Director of Elections of King County, Washington, as ex officio supervisor of elections, requesting that the Director of Elections call and conduct a special election in the City in conjunction with the state general election to be held on November 3, 2009, for the purpose of submitting to the qualified electors of the City the proposition set forth in this ordinance. The City Clerk is directed to certify to the King County Director of Elections the ballot title approved by the City Attorney in accordance with his responsibilities under RCW 29A.26.071. The following ballot title is submitted to the City Attorney for his consideration:

Seattle's Proposition 1 concerns increased property taxes for 7 years for low-income housing assistance.

This proposition would fund affordable housing and provide for other housing needs of low-income households, as provided in Ordinance XXX. It would authorize collection of regular property taxes above RCW 84.55 limitations. This proposition allows \$145,000,000 in additional taxes over seven years beginning in 2010, limited to \$20,714,286 annually. The 2010 regular tax rate would be limited to \$3.60 per \$1,000 assessed value, including about \$.17 in additional taxes.

Should this levy lid lift be approved?

Yes

No

Those in favor shall vote "Yes"; those opposed shall mark their ballots "No".

Section 11. Severability. If any one or more provisions of this ordinance shall for any reason be held invalid, such invalidity shall not affect any other provision of this ordinance or the levy of additional taxes authorized, but this ordinance shall be construed and enforced as if such invalid provisions had not been contained herein, except that if any provision shall be held invalid by reason of its extent or the range of persons eligible to benefit therefrom, then such provision shall be deemed to be in effect to the extent permitted by law and to benefit only such class of persons as may lawfully be granted the benefit thereof.

Section 12. Ratification. The City Clerk's certification to the King County Director of Elections of the proposition referred to in Section 10 and any other acts taken after the passage of this ordinance and consistent with its authority, are ratified and confirmed.

Section 13. Effectiveness. Those portions of this ordinance providing for the submission of a ballot proposition to the voters shall take effect and be in force immediately upon the approval by the Mayor; or if returned to the Council by the Mayor unsigned, then immediately upon its return; or if not approved and returned by the Mayor within 10 days after presentation, then on the 11th day after its presentation to the Mayor; or if vetoed by the Mayor, then immediately after its passage over his veto. All provisions of this ordinance that have not taken effect on an earlier date shall take effect and be in force thirty (30) days from and after the Mayor's approval of this ordinance, but if this ordinance shall not be approved and returned by the Mayor within ten (10) days after presentation, such provisions shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 15th day of June, 2009, and signed by me in open session in authentication of its passage this

15th day of June, 2009.

RICHARD CONLIN,

President of the City Council

Approved by me this 22nd day of June, 2009.

GREGORY J. NICKELS,

Mayor

Filed by me this 24th day of June, 2009.

(Seal) JUDITH E. PIPPIN,

City Clerk.

Publication ordered by JUDITH PIPPIN, City Clerk.

Exhibit 1: 2009 Housing Levy Programs  
Date of publication in the Seattle Daily Journal of Commerce, June 29, 2009.

6/29(240882)



1           WHEREAS, Chapter 84.55 RCW generally limits the dollar amount of regular property  
2 taxes that a city may levy in any year, but RCW 84.55.050 allows a city to levy taxes exceeding  
3 such limit by majority approval of the voters, and allows a city to include in the ballot  
4 proposition a limit on the purpose for which the additional taxes levied will be used and to  
5 provide for the expiration of the additional taxing authority; and

6           WHEREAS, RCW 35.21.685 authorizes a city to assist in the development or  
7 preservation of publicly or privately owned housing for persons of low income by providing  
8 loans or grants of general municipal funds to the owners or developers of the housing, including  
9 loans or grants to finance the acquisition, construction or rehabilitation of low-income housing;

10  
11           NOW THEREFORE,

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

13  
14           Section 1. Findings. The City Council makes the following findings and declares as  
15 follows:

16           A. The City of Seattle has insufficient safe, sanitary, and decent housing affordable to  
17 low-income households to meet the present and anticipated needs of such households, as  
18 documented in the Housing Appendix to the Comprehensive Plan and the City's 2009-2012  
19 Consolidated Plan.

20  
21           B. Affordable rental housing for low-income households, including the homeless, other  
22 persons with special needs, families and seniors, often requires a commitment of City funds for  
23 development or preservation, or other forms of assistance.  
24  
25  
26  
27  
28



1 C. Promoting home ownership through loans to low-income first-time homebuyers,  
2 coupled with homeownership counseling, helps create financial stability for families and mixed  
3 income neighborhoods.

4 D. Providing funding for acquisition or preservation of buildings of property for low-  
5 income housing is critical to take advantage of current housing market conditions.

6 E. Providing funding to help develop, preserve and finance housing affordable to low-  
7 income renters and homebuyers helps create jobs and generate significant income received by  
8 construction workers and local business owners.

9 F. The additional taxes to be levied under this ordinance will enable the City to provide  
10 for the housing needs of low-income households and thereby to fulfill the purposes of federal,  
11 State, County and City laws and policies, including without limitation the federal HOME  
12 Investment Partnerships Act, the State Growth Management Act ("GMA"), the Countywide  
13 Policies adopted under GMA, and the City's Comprehensive Plan.

14 Section 2. Definitions. The following terms used in this ordinance shall have the  
15 definitions stated below unless the context otherwise clearly requires:

16 "Low-income housing" means housing that will serve "low-income households."

17 "Household" means a single person, family or unrelated persons living together.

18 "Low-income household" means a household with income less than or equal to eighty  
19 percent (80%) of median income.

20 "Median income" means annual median family income for the statistical area or division  
21 thereof including Seattle for which median family income is published from time to time by the  
22 U.S. Department of Housing and Urban Development, or successor agency, with adjustments  
23



1 according to household size in a manner determined by the Director of Housing, provided that if  
2 an Administrative and Financial Plan adopted under Section 6 of this ordinance shall adopt a  
3 substitute definition of "median income," the substitute definition shall apply.  
4

5 To the extent permitted by applicable State law, income determinations may take into  
6 account such exclusions, adjustments and rules of computation as may be prescribed or used  
7 under federal housing laws, regulations or policies for purposes of establishing income limits, or  
8 as may be established in City planning documents consistent with federal laws, regulations or  
9 policies.  
10

11 Section 3. Proposition to Authorize Levy of Additional Regular Property Taxes.  
12

13 The City submits to the qualified electors of the City a proposition as authorized by RCW  
14 84.55.050(1), to exceed the levy limitation on regular property taxes contained in RCW Chapter  
15 84.55 for property taxes levied in 2009 through 2015 for collection in 2010 through 2016,  
16 respectively, raising up to \$145,000,000 in aggregate over a period of up to seven years. The  
17 proposition shall be limited so that the City shall not levy more than \$20,714,286 in additional  
18 taxes each year. All the levy proceeds shall be used for the purposes specified in Section 5.A. of  
19 this ordinance. The taxes authorized by this proposition will be in addition to the maximum  
20 amount of regular property taxes the City would have been limited to by RCW 84.55.010 in the  
21 absence of voter approval under this ordinance, plus other authorized lid lifts. If the voters  
22 approve the proposition submitted by this ordinance, the maximum total dollar rate for City of  
23 Seattle regular property taxes for collection in 2010 shall be a total maximum of \$ 3.60 per  
24  
25  
26  
27



1 thousand dollars of assessed valuation. The dollar amount of the City's levy of regular property  
2 taxes in 2009 for collection in 2010, including the increase authorized under this section, shall be  
3 used for the purpose of computing the limitations for subsequent levies provided for in RCW  
4 Chapter 84.55, through and including the levy of taxes in 2015 for collection in 2016. Pursuant  
5 to RCW 84.55.050(5), the maximum regular property taxes that may be levied in 2016 for  
6 collection in 2017 and in later years shall be computed as if the limit on regular property taxes  
7 had not been increased under this ordinance.  
8

9 Section 4. Levy Revenues.

10 A. Unless otherwise directed by ordinance, all revenues collected from the additional  
11 taxes authorized pursuant to this ordinance shall be deposited in the Low-Income Housing Fund  
12 to be used to finance housing for low-income households and otherwise to provide for the  
13 housing needs of such households. The Director of Executive Administration is authorized to  
14 create other subfunds or accounts within the Low-Income Housing Fund as may be needed or  
15 appropriate to implement the purposes of this ordinance.  
16  
17

18 B. Pending expenditure for the purposes authorized in this ordinance, amounts deposited  
19 in the Low-Income Housing Fund pursuant to this ordinance may be invested in any investments  
20 permitted by applicable law. All investment earnings on the balances shall be deposited into the  
21 Low-Income Housing Fund. Amounts received by the City from payments with respect to loans,  
22 recovery of grants, insurance proceeds or proceeds of sale or disposition of property ("program  
23 income") shall be deposited into the Low-Income Housing Fund unless otherwise specified by  
24 ordinance. The Director of Housing shall use any investment earnings and program income  
25  
26  
27



1 derived from revenues collected from the additional taxes authorized pursuant to this ordinance  
2 consistent with the provisions of any Administrative and Financial Plan ("A & F Plan") adopted  
3 by the City Council under Section 6 of this ordinance.

4 Section 5. Administration; Use of Proceeds.

5 A. The levy funds shall be used to finance affordable housing for low-income  
6 households, and otherwise to provide for the housing needs of low-income households.

7 B. The City Office of Housing, or such other department as may be designated by  
8 ordinance, shall administer programs funded with the additional taxes authorized  
9 pursuant to this ordinance. Programs adopted by the City Council for use of the funds  
10 derived under this ordinance shall be referred to as "Levy Programs." Levy Programs  
11 shall be implemented consistent with Administrative and Financial Plans, adopted by the  
12 City Council under Section 6 of this ordinance.

13 C. Anticipated Levy Programs are shown in Exhibit 1, attached hereto. The City  
14 Council, upon recommendation of the Oversight Committee described in Section 9 of this  
15 ordinance, or upon recommendation of the Mayor, or on its own motion, may review the  
16 timing of the allocations to particular Levy Programs and make changes to the programs,  
17 including additions and deletions of programs and/or in the amount of funds allocated to  
18 any program, consistent with the basic purposes of this ordinance and applicable law.

19 Administration funding shown on Exhibit 1 is intended to be used for administration of  
20 the use of levy proceeds for all programs except the Operating and Maintenance Program.  
21 Administration funding for the Operating and Maintenance Program, for the monitoring  
22



1 of funded projects over their lives, and for any use of loan repayments, may come from  
2 investment earnings or program income.

3 Section 6. Administrative and Financial Plans.

4 A. Every two years, or at such other intervals as the City Council may specify, the  
5 Director of Housing, or other department head as may be designated by the Mayor, shall prepare  
6 an A & F Plan covering all of the Levy Programs. Such plans shall cover periods commencing in  
7 2010 and continuing through 2016, and thereafter if so specified by the City Council.

8 B. Unless otherwise requested by the City Council, each A & F Plan shall include:  
9 amounts allocated to programs, which may vary from year to year in order to respond to changing  
10 housing market conditions, leveraging opportunities or other circumstances; criteria for  
11 evaluating and selecting projects; guidelines for loans or grants, including any fees to be  
12 collected to defray costs; requirements for project sponsors; progress and performance reports on  
13 ongoing projects and for each Levy Program; program reviews to ensure that levy funds are used  
14 for their stated purposes; and guidelines for use of program income and investment earnings.  
15 An A & F Plan may include such other information as the Mayor or Director of Housing may  
16 deem appropriate or the City Council may request.

17 C. The A & F Plan shall be submitted to the City Council for its approval, with such  
18 modifications as the City Council may require. For purposes of future updates of the A & F Plan,  
19 all criteria, guidelines, and requirements contained in a previously approved A & F Plan shall  
20 remain in effect pending approval by City Council of a new A & F Plan, unless otherwise  
21 provided by ordinance.  
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1           Section 7. Appropriations and Funding Approvals. The City Council shall appropriate  
2 from the Low-Income Housing Fund, as part of the City budget or supplementally, such monies  
3 derived from the levies authorized in this ordinance as it deems necessary to carry out the Levy  
4 Programs. The Director of Housing or other department head as may be designated by the Mayor  
5 or City Council, or the designee of such director (any such director or designee is hereinafter  
6 referred to as "Director"), is authorized, for and on behalf of the City, to select projects for  
7 funding and to approve, make and modify loans, grants or other expenditures to carry out the  
8 Levy Programs, provided that such authority is subject to the appropriation of sufficient funds.  
9 The Director and his or her designees are further authorized, for and on behalf of the City, to  
10 execute and deliver such documents and instruments as he or she may determine to be necessary  
11 or appropriate to implement the financing of specific projects or to otherwise carry out the Levy  
12 Programs.  
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15           Section 8. Bonds and Notes. To the extent permitted by applicable law the City may  
16 issue bonds, notes or other evidences of indebtedness payable wholly or in part from the proceeds  
17 of the additional taxes authorized under this ordinance, and apply such tax proceeds to the  
18 payment of principal of, interest on, and premium (if any) on such bonds, notes or other  
19 evidences of indebtedness and to the payment of costs associated with them.  
20

21           Section 9. Oversight Committee. Conditioned upon voter approval of the ballot  
22 proposition submitted by this ordinance, there is established an Oversight Committee for the  
23 purpose of monitoring the progress of Levy Programs and reporting to the Mayor and City  
24 Council on the progress of Levy Programs. The Committee shall inform the Mayor and the City  
25 Council of Levy Program accomplishments and problems and make recommendations on the A  
26  
27



1 & F Plans and on actions to be taken, including additions to or deletions of programs or amounts  
2 of funds allocated to the several programs, so that Levy Programs may be conducted in a timely  
3 and efficient manner. The Committee may elect officers and establish rules of procedure,  
4 including rules establishing what shall constitute a quorum. The Director of Housing or such  
5 other department head as may be designated by the Mayor shall provide the Committee such  
6 information as is necessary for the Committee to determine the status of individual programs and  
7 projects. The Oversight Committee shall consist of thirteen (13) voting members, selected as  
8 follows: one (1) shall be a City employee appointed by the Mayor or his designee; one (1) shall  
9 be a City employee appointed by the City Council; the remainder shall be persons outside City  
10 government, of whom six (6) shall be appointed by the Mayor, and five (5) by the City Council.  
11 The appointing authority shall remove any member who is absent from two or more consecutive  
12 meetings without cause. The appointing authority may remove any member for other good cause  
13 shown. Subject to applicable law, an individual serving as an officer, director or trustee of an  
14 entity that receives or competes for funding under this ordinance, or who has an interest in such  
15 an entity, shall not thereby be disqualified from serving on the Committee, but shall fully  
16 disclose any such relationships and shall not vote on any matter in which the interest of such  
17 entity is directly involved. Upon the resignation, retirement, death, incapacity or removal of a  
18 Committee member, the authority appointing such member may appoint a replacement for the  
19 balance of the term. Committee members shall serve without compensation. The City Council  
20 shall prescribe by ordinance or resolution the terms of office of Committee members, which may  
21 be staggered to provide continuity, and the initial committee members shall be selected within  
22 six months after voter approval of the proposition submitted by this ordinance. The City Council  
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1 may prescribe such other rules relating to the operation of the Committee as shall be necessary or  
2 appropriate. The Oversight Committee shall continue in existence through 2016, and thereafter  
3 if so provided by ordinance.

4           Section 10. Election - Ballot Title. The City Council directs that the City Clerk file  
5 this ordinance with the Director of Elections of King County, Washington, as ex officio  
6 supervisor of elections, requesting that the Director of Elections call and conduct a special  
7 election in the City in conjunction with the state general election to be held on November 3,  
8 2009, for the purpose of submitting to the qualified electors of the City the proposition set forth  
9 in this ordinance. The City Clerk is directed to certify to the King County Director of Elections  
10 the ballot title approved by the City Attorney in accordance with his responsibilities under RCW  
11 29A.26.071. The following ballot title is submitted to the City Attorney for his consideration:  
12

13  
14 Seattle's Proposition 1 concerns increased property taxes for 7 years for low-income housing  
15 assistance.

16 This proposition would fund affordable housing and provide for other housing needs of low-  
17 income households, as provided in Ordinance XXX. It would authorize collection of regular  
18 property taxes above RCW 84.55 limitations. This proposition allows \$145,000,000 in  
19 additional taxes over seven years beginning in 2010, limited to \$20,714,286 annually. The 2010  
20 regular tax rate would be limited to \$3.60 per \$1,000 assessed value, including about \$.17 in  
21 additional taxes.

22 Should this levy lid lift be approved?

23 Yes

24 No

25 Those in favor shall vote "Yes"; those opposed shall mark their ballots "No".  
26  
27



1 Section 11. Severability. If any one or more provisions of this ordinance shall for any  
2 reason be held invalid, such invalidity shall not affect any other provision of this ordinance or the  
3 levy of additional taxes authorized, but this ordinance shall be construed and enforced as if such  
4 invalid provisions had not been contained herein, except that if any provision shall be held  
5 invalid by reason of its extent or the range of persons eligible to benefit therefrom, then such  
6 provision shall be deemed to be in effect to the extent permitted by law and to benefit only such  
7 class of persons as may lawfully be granted the benefit thereof.  
8

9 Section 12. Ratification. The City Clerk's certification to the King County Director of  
10 Elections of the proposition referred to in Section 10 and any other acts taken after the passage of  
11 this ordinance and consistent with its authority, are ratified and confirmed.  
12

13 Section 13. Effectiveness. Those portions of this ordinance providing for the submission  
14 of a ballot proposition to the voters shall take effect and be in force immediately upon the  
15 approval by the Mayor; or if returned to the Council by the Mayor unsigned, then immediately  
16 upon its return; or if not approved and returned by the Mayor within 10 days after presentation,  
17 then on the 11<sup>th</sup> day after its presentation to the Mayor; or if vetoed by the Mayor, then  
18 immediately after its passage over his veto. All provisions of this ordinance that have not taken  
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1 effect on an earlier date shall take effect and be in force thirty (30) days from and after the  
2 Mayor's approval of this ordinance, but if this ordinance shall not be approved and returned by  
3 the Mayor within ten (10) days after presentation, such provisions shall take effect as provided by  
4 Municipal Code Section 1.04.020.

5 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2009, and  
6 signed by me in open session in authentication of its passage this  
7 \_\_\_\_ day of \_\_\_\_\_, 2009.

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11 \_\_\_\_\_  
12 President \_\_\_\_\_ of the City Council

13 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2009.

14  
15 \_\_\_\_\_  
16 Gregory J. Nickels, Mayor

17 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2009.

18  
19 \_\_\_\_\_  
20 City Clerk

21 (Seal)

22 Exhibit 1: 2009 Housing Levy Programs  
23  
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**EXHIBIT 1  
2009 HOUSING LEVY PROGRAMS**



Program	Total Funding (7 Years)	Estimated Housing Produced/ Households Assisted	Program Description / Affordability Levels
Rental Production and Preservation	\$104,000,000	1,670	<ul style="list-style-type: none"> <li>Affordable rental housing for low-income households, including people with disabilities, the elderly, homeless, working families, and families with children</li> <li>At least 55% of program funding for housing serving households at or below 30% of area median income</li> </ul>
Operating and Maintenance (O&M)	\$7,900,000 <i>Note: A&amp;O Loan Fund repayments to be added to O&amp;M Program</i>	220	<ul style="list-style-type: none"> <li>Building operating support provided to owners of Levy-funded housing for 20 years, supplementing rent for residents at or below 30% of area median income</li> </ul>
Rental Assistance	\$4,248,000	550 households each year	<ul style="list-style-type: none"> <li>Assistance to families and individuals up to 50% of area median income to help preserve their housing, preventing eviction and homelessness</li> </ul>
Acquisition and Opportunity (A&O) Loans	\$6,500,000 <i>Note: A&amp;O Loan Fund repayments to be added to O&amp;M Program</i>	175	<ul style="list-style-type: none"> <li>Short-term acquisition loans for strategic purchases of buildings or land for rental or homeownership housing development that will serve low-income households</li> </ul>
Homebuyer Assistance	\$9,090,000	180	<ul style="list-style-type: none"> <li>Assistance to first-time homebuyers with incomes at or below 80% of area median income</li> </ul>
Administration	\$13,262,000	N/A	
<b>TOTALS</b>	<b>\$145,000,000</b>	<b>1,850 housing units and 4,245 households</b>	<ul style="list-style-type: none"> <li>Housing units funded by Rental Production and Preservation and Homebuyer Assistance programs.</li> <li>Households assisted by Rental Assistance, Operating &amp; Maintenance, and Acquisition &amp; Opportunity Loan funds.</li> </ul>

Exhibit 1: Housing Levy Programs

**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
Office of Housing	Rick Hooper #4-0338	Amanda Allen #4-8894

**Legislation Title:**

AN ORDINANCE relating to low-income housing; requesting that a special election be held concurrent with the November 2009 general election for submission to the qualified electors of the City of a proposition to lift the limit on regular property taxes under Chapter 84.55 RCW in order to authorize the City to levy additional taxes for low-income housing for up to seven (7) years; providing for interim financing pending tax receipts; creating a levy oversight committee; providing for implementation of programs with funds derived from the taxes authorized; and ratifying and confirming certain prior acts.

• **Summary of the Legislation:**

The proposed ordinance would submit a \$145,000,000, seven-year housing levy package to the voters of Seattle for their approval in the fall of 2009. The proposed levy would be raised under the provisions of RCW 84.55.050, which allows a city to obtain voter approval to exceed the "lid" on regular property taxes for any purposes. Levy proceeds would be used for the following programs:

- **Rental Preservation and Production: \$104,000,000**  
Capital funding for production of affordable rental housing serving a range of housing needs.
- **Operating and Maintenance: \$7,900,000**  
Funding to help preserve rental housing serving the most needy.
- **Rental Assistance: \$4,248,000**  
Funding to help preserve existing housing to prevent eviction and homelessness.
- **Homebuyer Assistance: \$9,090,000**  
Loans to first-time homebuyers.
- **Acquisition and Opportunity Loan Fund: \$6,500,000**  
Loans to facilitate strategic purchases of land or buildings for use as low-income housing---take advantage of current economic conditions; repayments will go into the Operating and Maintenance Program.
- **Administration: \$13,262,000**  
Funding for administration of all programs except the Operating and Maintenance (O & M) program; administration funding for the O & M Program will come from interest earnings on O & M Program fund balances ---consistent with the way administration funding for the O & M Program has been handled for previous housing levies.



- **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

The current housing levy, approved by voters in 2002, expires at the end of 2009. Despite the success of the 2002 and prior levies in exceeding their housing production goals, Seattle has insufficient safe, sanitary, and decent housing affordable to low-income households to meet the present and anticipated needs of such households, as documented in the City's 2009-2012 Consolidated Plan. Rents and home prices have risen faster than incomes, making it hard for working people to find affordable housing in the city, even under current economic conditions. The homeless population, people with disabilities, and the low-income elderly have unmet housing needs. The proposed levy will enable the City to continue to address Seattle's low-income housing needs.

Previously, Seattle voters have approved:

- \$86 million housing levy in 2002;
- \$59.21 million housing levy in 1995;
- \$49.98 million housing levy in 1986; and
- \$48 million bond issue for senior housing in 1981.

- *Please check one of the following:*

       **This legislation does not have any financial implications.** *(Stop here and delete the remainder of this document prior to saving and printing.)*

XX **This legislation has financial implications.** *(Please complete all relevant sections that follow.)*

This legislation does not directly result in appropriation or position changes. If the proposed levy is passed by Seattle's citizens, the Office of Housing's 2010 budget appropriation as adopted by the City Council will reflect the corresponding appropriation and revenue amounts in 2010 and subsequent years. Passage of the proposed levy would not result in staffing changes, instead, OH's levy staffing in 2009 would remain at the same level in 2010 as in 2009. The overall implications of the proposed levy by program are highlighted in Exhibit 1 of the ordinance and Attachment 1 to the fiscal note. Anticipated revenues generated as a direct result of the passage of the levy are also outlined in Attachment 1 to this fiscal note.

- **What is the financial cost of not implementing the legislation?** *(Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented.)*

The current 2002 housing levy expires with the collection of the 2009 property taxes. The



City's capacity to respond to low-income housing needs and related issues will be significantly reduced starting in 2010 if this legislation is not implemented.

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** *(Include any potential alternatives to the proposed legislation, such as reducing fee-supported activities, identifying outside funding sources for fee-supported activities, etc.)*

There are no other funding sources available to the City that will accomplish these objectives. Our declining economy has decreased the amount of General Subfunds available for general government activities, making it an unfeasible funding source for Housing Levy programs.

- **Is the legislation subject to public hearing requirements:** *(If yes, what public hearings have been held to date, and/or what plans are in place to hold a public hearing(s) in the future.)*

City Council has prepared a Housing Levy Renewal Committee of the Whole schedule to review the proposed levy. A public hearing, although not required, is scheduled for May 12, 2009.

- **Other Issues** *(including long-term implications of the legislation):*

**Please list attachment to the fiscal note below:**

ATTACHMENT 1: Sources and Uses of Funds – Proposed 2009 Housing Levy



ATTACHMENT 1: Sources and Uses of Funds – Proposed 2009 Housing Levy

The following table describes the levy proceeds and interest earnings estimates during 2010 through 2016, based on the 2002 Housing Levy Program cash flow and projected interest rates.

	2010	2011	2012	2013	2014	2015	2016	TOTAL:
<b>Revenue Sources</b> (in \$000s):								
Levy Proceeds	\$20,714	\$20,714	\$20,714	\$20,714	\$20,714	\$20,714	\$20,714	\$145,000
Estimated Interest Earnings*	\$134	\$451	\$665	\$805	\$966	\$1,125	\$1,223	\$5,369
<b>Total Sources:</b>	<b>\$20,848</b>	<b>\$21,165</b>	<b>\$21,379</b>	<b>\$21,519</b>	<b>\$21,680</b>	<b>\$21,839</b>	<b>\$21,937</b>	<b>\$150,369</b>
<b>Funding Uses</b> (in \$000s):								
Rental Pres & Production	\$14,810	\$15,321	\$15,528	\$15,621	\$15,701	\$15,769	\$15,786	\$108,536
Operating and Maintenance	\$12	\$16	\$891	\$1,827	\$1,908	\$1,999	\$2,080	\$8,733
Rental Assistance	\$0	\$0	\$849	\$850	\$850	\$850	\$850	\$4,248
Acquisition & Opp Fund	\$3,000	\$2,609	\$891	\$0	\$0	\$0	\$0	\$6,500
Homebuyer Assistance	\$1,131	\$1,326	\$1,326	\$1,326	\$1,327	\$1,327	\$1,327	\$9,090
Administration	\$1,894	\$1,894	\$1,894	\$1,895	\$1,895	\$1,895	\$1,895	\$13,262
<b>Total Uses:</b>	<b>\$20,848</b>	<b>\$21,165</b>	<b>\$21,379</b>	<b>\$21,519</b>	<b>\$21,680</b>	<b>\$21,839</b>	<b>\$21,937</b>	<b>\$150,369</b>

\* The interest rates assumed are: 1.65% in 2010, 2.44% in 2011, 3.60% in 2012, 4.12% in 2013, 4.57% in 2014, 4.95% in 2015, 5.04% in 2016.

NOTE: Acquisition and Opportunity loan repayments are to be added to the funding available for the Operating and Maintenance Program.

