



# SEATTLE CITY COUNCIL

## Legislative Summary

Res 31811

Record No.: Res 31811

Type: Resolution (Res)

Status: Adopted

Version: 1

Ord. no:

In Control: City Clerk

File Created: 03/29/2018

Final Action: 06/01/2018

**Title:** A RESOLUTION recognizing the value of Equitable Development Agreements and outlining how the agreements may be considered when evaluating the required community engagement processes and public benefit packages associated with street vacations and large development projects that are subject to review by the City Council.

**Notes:**

**Filed with City Clerk:** Date 6/1/2018

**Mayor's Signature:** 6/1/2018

**Sponsors:** O'Brien

**Vetoed by Mayor:**

**Veto Overridden:**

**Veto Sustained:**

**Attachments:**

**Drafter:** patrick.wigren@seattle.gov

**Filing Requirements/Dept Action:**

### History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

| Ver-<br>sion: | Acting Body:                                                                                                                      | Date:      | Action:         | Sent To:                                          | Due Date: | Return<br>Date: | Result: |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------|------------|-----------------|---------------------------------------------------|-----------|-----------------|---------|
| 1             | City Clerk                                                                                                                        | 04/10/2018 | sent for review | Council<br>President's Office                     |           |                 |         |
|               | <b>Action Text:</b> The Resolution (Res) was sent for review. to the Council President's Office<br><b>Notes:</b>                  |            |                 |                                                   |           |                 |         |
| 1             | Council President's<br>Office                                                                                                     | 04/18/2018 | sent for review | Sustainability and<br>Transportation<br>Committee |           |                 |         |
|               | <b>Action Text:</b> The Resolution (Res) was sent for review. to the Sustainability and Transportation Committee<br><b>Notes:</b> |            |                 |                                                   |           |                 |         |
| 1             | City Council                                                                                                                      | 04/23/2018 | referred        | Sustainability and<br>Transportation<br>Committee |           |                 |         |
|               | <b>Action Text:</b> The Resolution (Res) was referred. to the Sustainability and Transportation Committee<br><b>Notes:</b>        |            |                 |                                                   |           |                 |         |

|   |                                             |                                                                                                  |                        |                                                                                                                                                                                                                    |      |
|---|---------------------------------------------|--------------------------------------------------------------------------------------------------|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1 | Sustainability and Transportation Committee | 05/01/2018                                                                                       | adopt                  |                                                                                                                                                                                                                    | Pass |
|   | <b>Action Text:</b>                         | The Committee recommends that Full Council adopt the Resolution (Res).                           |                        |                                                                                                                                                                                                                    |      |
|   |                                             | In Favor:                                                                                        | 3                      | Chair O'Brien, Vice Chair Johnson, Member Sawant                                                                                                                                                                   |      |
|   |                                             | Opposed:                                                                                         | 0                      |                                                                                                                                                                                                                    |      |
| 1 | City Council                                | 05/07/2018                                                                                       | held                   |                                                                                                                                                                                                                    |      |
|   | <b>Action Text:</b>                         | The Resolution (Res) was held until May 14, 2018.                                                |                        |                                                                                                                                                                                                                    |      |
| 1 | City Council                                | 05/14/2018                                                                                       | held                   |                                                                                                                                                                                                                    |      |
|   | <b>Action Text:</b>                         | The Resolution (Res) was held until May 21, 2018.                                                |                        |                                                                                                                                                                                                                    |      |
| 1 | City Council                                | 05/21/2018                                                                                       | adopted                |                                                                                                                                                                                                                    | Pass |
|   | <b>Action Text:</b>                         | The Resolution (Res) was adopted by the following vote, and the President signed the Resolution: |                        |                                                                                                                                                                                                                    |      |
|   |                                             | In Favor:                                                                                        | 9                      | Councilmember Bagshaw, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember Mosqueda, Councilmember O'Brien, Councilmember Sawant |      |
|   |                                             | Opposed:                                                                                         | 0                      |                                                                                                                                                                                                                    |      |
| 1 | City Clerk                                  | 05/23/2018                                                                                       | submitted for          | Mayor                                                                                                                                                                                                              |      |
|   |                                             |                                                                                                  | Mayor's signature      |                                                                                                                                                                                                                    |      |
| 1 | Mayor                                       | 06/01/2018                                                                                       | Signed                 |                                                                                                                                                                                                                    |      |
|   | <b>Action Text:</b>                         | The Resolution (Res) was Signed.                                                                 |                        |                                                                                                                                                                                                                    |      |
|   | <b>Notes:</b>                               |                                                                                                  |                        |                                                                                                                                                                                                                    |      |
| 1 | Mayor                                       | 06/01/2018                                                                                       | returned               | City Clerk                                                                                                                                                                                                         |      |
|   | <b>Action Text:</b>                         | The Resolution (Res) was returned. to the City Clerk                                             |                        |                                                                                                                                                                                                                    |      |
|   | <b>Notes:</b>                               |                                                                                                  |                        |                                                                                                                                                                                                                    |      |
| 1 | City Clerk                                  | 06/01/2018                                                                                       | attested by City Clerk |                                                                                                                                                                                                                    |      |
|   | <b>Action Text:</b>                         | The Resolution (Res) was attested by City Clerk.                                                 |                        |                                                                                                                                                                                                                    |      |
|   | <b>Notes:</b>                               |                                                                                                  |                        |                                                                                                                                                                                                                    |      |

**CITY OF SEATTLE**

**RESOLUTION**

31811

A RESOLUTION recognizing the value of Equitable Development Agreements and outlining how the agreements may be considered when evaluating the required community engagement processes and public benefit packages associated with street vacations and large development projects that are subject to review by the City Council.

WHEREAS, The City of Seattle's Race and Social Justice Initiative began in 2005 with the mission of overcoming institutional racism by changing City policies and practices; and

WHEREAS, in 2009, the City Council adopted Resolution 31164 directing City departments to focus on achieving racial equity in the community including specific focus areas including equitable development; and

WHEREAS, in 2015, the City Council adopted Resolution 31577, affirming that The City of Seattle's core value of race and social equity is one of the foundations on which the Comprehensive Plan is built and stating the that "race and social equity planning includes not only shared benefits and burdens of growth and investment, but also partnership in the process resulting in shared decision-making and more equitable outcomes;" and

WHEREAS, the City recognizes that throughout Seattle's history, certain populations and neighborhoods prospered at the expense of others; and redlining, racially restrictive covenants, and discriminatory real-estate practices resulted in increased wealth in white neighborhoods and poverty in historically redlined communities; and

WHEREAS, the City recognizes that with Seattle's rapid growth, the benefits and burdens of growth have not been shared equally and have resulted in persistent disparities in income, unemployment rates, and homeownership; and

WHEREAS, the City is committed to addressing displacement and equitable development through our Equitable Development Initiative and other policies and practices; and

WHEREAS, the City's 2016 Growth and Equity Analysis defines equitable development as "[p]ublic and private investments, programs, and policies in neighborhoods taking into account past history and current conditions to meet the needs of marginalized populations and to reduce disparities so that quality of life outcomes such as equitable access to quality education, living wage employment, healthy environment, affordable housing and transportation are equitably distributed for people currently living and working here, as well as for new people moving in;" and

WHEREAS, the Council has demonstrated interest and commitment to pursuing creative strategies for equitable development including hosting a Lunch-and-Learn on Community Benefits Agreements on January 11, 2017, with community experts from across the country and local organizations interested in equitable development; and

WHEREAS, the Council recognizes that the outcomes of third party agreements between developers and equitable development community stakeholders can result in outcomes that can work toward City goals of race and social equity; NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE  
MAYOR CONCURRING, THAT:**

Section 1. The City of Seattle (City) recognizes the value of community-driven Equitable Development Agreements (EDAs). An EDA is a community benefits agreement (CBA) rooted in the needs and self-determination of stakeholders that have been historically marginalized in society or the economy. CBAs are third-party agreements between a developer and a community. CBAs emerged as a tool for people negatively impacted by growth and development to

1 participate in the benefits of a specific project, though over time CBAs have become more  
2 ambiguous and do not always include equity stakeholders.

3       Section 2. The City Council may acknowledge the existence of an EDA when reviewing  
4 a petitioner's or applicant's proposed public benefit package or evaluating the community  
5 engagement process that are required components of a street vacation petition, an application to  
6 adopt or amend a major institution master plan, or any other applications for large development  
7 projects that are subject to review by the City Council.

8       Section 3. The City Council recognizes that EDAs are not a required component of street  
9 vacation petitions or development applications; the City is not a party to EDAs; and the City is  
10 not responsible for implementing or enforcing EDAs.

11       Section 4. When reviewing an EDA, Councilmembers may consider:

12       A.     EDA Stakeholders: Racial and social equity requires centering the people who  
13 have been marginalized in decision-making and have been historically harmed by economic  
14 inequality, racial discrimination, or social exclusion. EDA stakeholders include organizations or  
15 institutions representing: low-income households; people of color, immigrants, refugees, and  
16 indigenous people; people experiencing homelessness; seniors and people with disabilities;  
17 people who need economic opportunity and face institutional barriers to good jobs, such as  
18 racism or sexism; low-wage workers impacted by a project in some way, either as current  
19 workers at another location or the future workforce at the project location, especially women and  
20 people of color; and LGBTQ people, especially those at risk of displacement from historically  
21 queer-friendly neighborhoods. EDAs are entered into by EDA stakeholders. The City Council  
22 shall consider if the EDA reflects a process that: (1) actively centered individuals and

1 organizations representing historically-marginalized communities in the decision-making  
2 process; and (2) was transparent, inclusive, and accessible to the EDA stakeholders.

3 B. EDA Outcomes: The City Council may opine on the degree to which the EDA  
4 will foster equitable development outcomes identified by the EDA stakeholders. Factors include,  
5 but are not limited to, the degree to which the EDA:

- 6 1. Addresses historic and current racial and social injustice;
- 7 2. Advances self-determination and control of resources for marginalized  
8 groups;
- 9 3. Preserves community dignity and culture;
- 10 4. Creates economic equity, especially through increased community wealth,  
11 local prosperity, and family-supporting jobs;
- 12 5. Fosters workplace dignity and democracy;
- 13 6. Prevents residential, commercial, and cultural displacement of  
14 communities;
- 15 7. Preserves and supports small, community-serving, and culturally-relevant  
16 businesses;
- 17 8. Creates equity outcomes that are proportionate to the scale of private  
18 wealth generation for the developer and investors;
- 19 9. Considers the role future property owners, tenants, subtenants, operators,  
20 contractors, or other entities who occupy the development will have in working towards  
21 equitable outcomes identified in the EDA; and
- 22 10. Results in a binding agreement between a developer or project owner and  
23 EDA stakeholders with lasting benefits. The binding agreement should include:

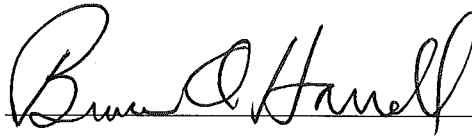
1                                   a.       Specific terms describing the responsibilities of all parties subject  
2 to the EDA;

3                                   b.       Clear timeframes for implementing each provision; and

4                                   c.       A system for monitoring and enforcing that requires participation  
5 and oversight from all parties subject to the EDA.

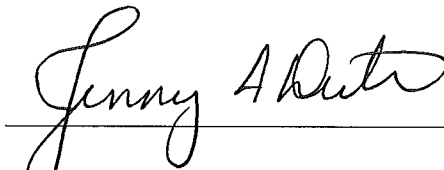
6               Section 5. The City Council may consider best practices when opining on the  
7 effectiveness of an EDA, including whether the EDA includes explicit plans for community  
8 accountability, implementation, and enforcement.

Adopted by the City Council the 21<sup>st</sup> day of May, 2018,  
and signed by me in open session in authentication of its adoption this 21<sup>st</sup> day of  
May, 2018.



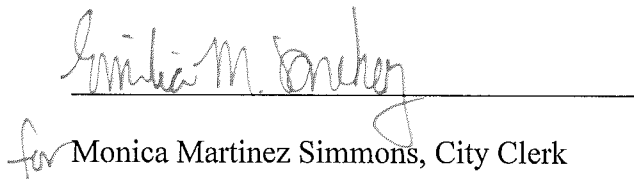
President \_\_\_\_\_ of the City Council

The Mayor concurred the 1<sup>st</sup> day of June, 2018.



Jenny A. Durkan, Mayor

Filed by me this 1<sup>st</sup> day of June, 2018.

  
for Monica Martinez Simmons, City Clerk

(Seal)

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STATE OF WASHINGTON -- KING COUNTY

--SS.

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362895

No.

CITY OF SEATTLE, CLERKS OFFICE

**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:RESOLUTION 31811

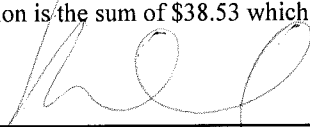
was published on

06/08/18

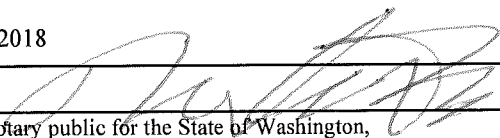
The amount of the fee charged for the foregoing publication is the sum of \$38.53 which amount has been paid in full.



Affidavit of Publication

  
\_\_\_\_\_  
Subscribed and sworn to before me on

06/08/2018

  
\_\_\_\_\_  
Notary public for the State of Washington,  
residing in Seattle

# State of Washington, King County

## City of Seattle

### Title Only Resolution

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The full text of the following legislation, passed by the City Council on May 21, 2018, and published below by title only, will be mailed upon request, or can be accessed at <http://seattle.legistar.com>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

#### Resolution 31811

A RESOLUTION recognizing the value of Equitable Development Agreements and outlining how the agreements may be considered when evaluating the required community engagement processes and public benefit packages associated with street vacations and large development projects that are subject to review by the City Council.

Date of publication in the Seattle Daily Journal of Commerce, June 8, 2018.

6/8(362895)