



Legislation Text

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AN ORDINANCE relating to housing and community development and King County consortia partnerships, making amendments to update K.C.C. Title 24 Housing and Community Development; amending Ordinance 3269, Section 101, as amended, and K.C.C. 24.04.010, Ordinance 3269, Section 102, as amended, and K.C.C. 24.04.020, Ordinance 3269, Section 201, and K.C.C. 24.08.020, Ordinance 3269, Section 214, and K.C.C. 24.08.160, Ordinance 3269, Section 215, and K.C.C. 24.08.170 and Ordinance 3269, Section 216, and K.C.C. 24.08.190, adding new sections to K.C.C. chapter 24.08, adding new chapters to K.C.C. Title 24, and repealing Ordinance 3269, Section 103, as amended, and K.C.C. 24.04.030, Ordinance 3269, Section 202, as amended, and K.C.C. 24.08.030, Ordinance 3269, Section 203, as amended, and K.C.C. 24.08.040, Ordinance 10504, Section 6, and K.C.C. 24.08.048, Ordinance 3856, Section 4, and K.C.C. 24.08.050, Ordinance 10504, Section 8, and K.C.C. 24.08.067, Ordinance 10504, Section 9, and K.C.C. 24.08.068, Ordinance 3269, Section 205, and K.C.C. 24.08.070, Ordinance 3269, Section 206, as amended, and K.C.C. 24.08.080, Ordinance 10504, Section 11, and K.C.C. 24.08.085, Ordinance 3269, Section 207, and K.C.C. 24.08.090, Ordinance 3269, Section 208, and K.C.C. 24.08.100, Ordinance 3269, Section 209, and K.C.C. 24.08.110, Ordinance 3269, Section 211, and K.C.C. 24.08.130, Ordinance 3269, Section 212, and K.C.C.

24.08.140, Ordinance 3269, Section 213, and K.C.C. 24.08.150, Ordinance 3269 (part) and K.C.C. 24.08.180, Ordinance 3269, Section 217, and K.C.C. 24.08.200, Ordinance 6927, Section 5, and K.C.C. 24.08.202, Ordinance 6927, Section 4, and K.C.C. 24.08.204, Ordinance 3269 (part), as amended, and K.C.C. 24.08.210, Ordinance 3269 (part), as amended, and K.C.C. 24.08.220, Ordinance 3269, Section 218, and K.C.C. 24.08.230, Ordinance 6927, Section 3, and K.C.C. 24.08.245, Ordinance 3269 (part), as amended, and K.C.C. 24.08.250, Ordinance 10504, Section 13, and K.C.C. 24.12.005, Ordinance 10504, Section 14, and K.C.C. 24.12.015, Ordinance 10504, Section 15, and K.C.C. 24.12.025, Ordinance 10504, Section 16, and K.C.C. 24.12.035, Ordinance 10504, Section 17, and K.C.C. 24.12.045, Ordinance 10504, Section 18, and K.C.C. 24.12.055, Ordinance 10504, Section 19, and K.C.C. 24.12.065, Ordinance 3269, Section 401, and K.C.C. 24.16.010, Ordinance 3269, Section 402, as amended, and K.C.C. 24.16.020, Ordinance 3269, Section 403, as amended, and K.C.C. 24.16.030, Ordinance 3269, Section 404, and K.C.C. 24.16.040, Ordinance 3269, Section 405, as amended, and K.C.C. 24.16.050, Ordinance 3269, Section 406, as amended, and K.C.C. 24.16.060, Ordinance 3269 (part), as amended, and K.C.C. 24.20.010, Ordinance 3269 (part), as amended, and K.C.C. 24.20.020, Ordinance 3269 (part), as amended, and K.C.C. 24.20.030, Ordinance 3269 (part), as amended, and K.C.C. 24.20.040, Ordinance 3269 (part), as amended, and K.C.C. 24.20.050, Ordinance 3269 (part), as amended, and K.C.C. 24.20.060, Ordinance 3269 (part), as amended, and K.C.C. 24.24.010, Ordinance 3269 (part), as amended, and K.C.C. 24.24.020, Ordinance 3269 (part), as amended, and K.C.C. 24.24.030, Ordinance 3269 (part), as amended, and K.C.C. 24.24.040, Ordinance

3269 (part), as amended, and K.C.C. 24.24.050, Ordinance 3269, Section 501, and K.C.C. 24.60.010, Ordinance 3269, Section 502, and K.C.C. 24.60.020, Ordinance 3269, Section 503, and K.C.C. 24.60.030, Ordinance 6928, Section 2, as amended, and K.C.C. 24.64.010, Ordinance 10504, Section 21, and K.C.C. 24.64.015, Ordinance 6928, Section 3, as amended, and K.C.C. 24.64.020, Ordinance 6928, Section 4, as amended, and K.C.C. 24.64.030, Ordinance 6928, Section 5, as amended, and K.C.C. 24.64.040 and Ordinance 6928, Section 8, as amended, and K.C.C. 24.64.060.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 3269, Section 101, as amended, and K.C.C. 24.04.010 are each hereby amended to read as follows:

Policy. It is declared to be the policy of King County to ~~((provide for the repair and rehabilitation of privately owned dwellings within King County by the use of funds obtained through Federal grant programs. This title authorizes programs to implement Policy 1-8(B) of Ordinance 2555 which states as follows: "King County shall create and support measures which will provide incentives to maintain and rehabilitate older housing. This shall include . . . obtaining private or public monies and pursuing feasible proposals to encourage maintenance and restoration of housing units, particularly for homeowners whose income requires such assistance." Nothing in this title shall authorize the use of public funds in violation of Article VIII, Section 7 of the Washington State Constitution, and the sole source of all public funds expended hereunder shall be federal grant moneys))~~ partner with the cities and towns in King County for planning the distribution and administration of federal community development block grant, HOME investment partnership and emergency shelter grant funds, as well as local regional affordable housing program funds generated by Chapter 24, Laws of Washington 2002, and other federal, state or local funds that may become available in the future to serve the needs of very low, low and moderate-income households and communities throughout King County. This title

authorizes King County consortia partnerships and activities that further the development of viable urban communities, including the provision of decent affordable housing, a suitable living environment and expanding economic opportunities, principally for persons at very low, low and moderate-income levels.

SECTION 2. Ordinance 3269, Section 102, as amended, and K.C.C. 24.04.020 are each hereby amended to read as follows:

Findings. ~~((The King County council finds that:))~~

A. ~~The best interests and general welfare of King County ((would be served by the providing of federally funded assistance to homeowners, so that they will have an opportunity to continue to live in their present dwellings;~~

~~B. It is also in the best interests and general welfare of King County to upgrade the living environment of low income renters when guarantees can be obtained from landlords or assistance provided to tenants to safeguard the tenants' interests and justify the public investment;~~

~~C. Programs should be established which will further the aforementioned policies, such programs to provide for the maintenance and improvement of living environments in order to provide safe and sanitary living conditions for the citizens of King County;~~

~~D. Implementation of housing rehabilitation and repair programs consistent with the foregoing statements would be complementary to and consistent with the King County housing policies adopted in Ordinance 2555;~~

~~E. King County and cooperating jurisdictions under interlocal agreements have responsibility and authority to carry out housing rehabilitation and repair programs within areas delineated in the King County Consolidated Housing and Community Development Plan;~~

~~F. Various federally funded programs, including the Community Development Block Grant Program under the Housing and Community Development Act of 1974 and the HOME Investment Partnerships Act (HOME) under the Cranston-Gonzalez National Affordable Housing Act of 1990, provide a source of funds and~~

~~an opportunity for King County to implement certain housing and rehabilitation repair programs;~~

~~G. No person shall be denied the opportunity to participate in any King County housing repair and rehabilitation program as a result of discrimination based on race, color, religion, national origin, age, sex, marital status, parental status, participation in the Section 8 program, sexual orientation, disability or the use of a trained dog guide by a person with a disability. Antidiscrimination policies shall comply with the requirements of K.C.C. 12.20;~~

~~H. It is desirable and will significantly benefit the objectives of all housing rehabilitation and repair programs for the director of the community and human services department, to have direct approval authority with respect to loans, grants, and other financial assistance provided under the King County housing rehabilitation and repair program))~~ are served by consortia partnerships between King County and its cities and towns. Such partnerships recognize that the housing and community development needs of very low, low and moderate-income households cross jurisdictional boundaries and are, therefore, appropriately addressed as regional and subregional needs as well as local needs.

B. Federal funds made available to the King County consortia through the United States Department of Housing and Urban Development, as well as local funds made available through the regional affordable housing program, and other federal, state or local funds that may become available to the King County consortia to serve the housing and community development needs of very low, low and moderate-income households, are best used to support the goals and objectives of the consolidated housing and community development plan that is adopted by the county council.

SECTION 3. Ordinance 3269, Section 103, as amended, and K.C.C. 24.04.030 are each hereby repealed.

SECTION 4. Ordinance 3269, Section 201, and K.C.C. 24.08.020 are each hereby amended to read as follows:

Community development block grant - CDBG. "Community development block grant" or "CDBG"

means the federally funded program authorized by the Housing and Community Development Act of 1974, P.L. 93-383, as amended.

NEW SECTION. SECTION 5. There is hereby added to K.C.C. chapter 24.08 a new section to read as follows:

Community development block grant consortium - CDBG consortium. "Community development block grant consortium" or "CDBG consortium" means the alliance of King County and the cities and towns in King County that do not receive their own community development block grant funds directly from HUD and that choose to participate in the King County CDBG program.

NEW SECTION. SECTION 6. There is hereby added to K.C.C. chapter 24.08 a new section to read as follows:

Consolidated housing and community development plan. "Consolidated housing and community development plan" or "consolidated plan" means the HUD-required plan for the use of federal housing and community development funds that is adopted by the county council, under Ordinance 15054, Section 2.

SECTION 7. Ordinance 3269, Section 202, as amended, and K.C.C. 24.08.030 are each hereby repealed.

SECTION 8. Ordinance 3269, Section 203, as amended, and K.C.C. 24.08.040 are each hereby repealed.

SECTION 9. Ordinance 10504, Section 6, and K.C.C. 24.08.048 are each hereby repealed.

SECTION 10. Ordinance 3856, Section 4, and K.C.C. 24.08.050 are each hereby repealed.

NEW SECTION. SECTION 11. There is hereby added to K.C.C. chapter 24.08 a new section to read as follows:

Emergency shelter grant - ESG. "Emergency shelter grant" or "ESG" means the federally funded program authorized by Title IV of the McKinney-Vento Homeless Assistance Act of 1987, P.L. 100-77, as amended.

NEW SECTION. SECTION 12. There is hereby added to K.C.C. chapter 24.08 a new section to read as follows:

HOME consortium. "HOME consortium" means the alliance of King County and the cities and towns in King County that do not receive their own HOME funds directly from HUD and choose to participate in the King County HOME program.

SECTION 13. Ordinance 10504, Section 8, and K.C.C. 24.08.067 are each hereby repealed.

SECTION 14. Ordinance 10504, Section 9, and K.C.C. 24.08.068 are each hereby repealed.

SECTION 15. Ordinance 3269, Section 205, and K.C.C. 24.08.070 are each hereby repealed.

SECTION 16. Ordinance 3269, Section 206, as amended, and K.C.C. 24.08.080 are each hereby repealed.

SECTION 17. Ordinance 10504, Section 11, and K.C.C. 24.08.085 are each hereby repealed.

NEW SECTION. SECTION 18. There is hereby added to K.C.C. chapter 24.08 a new section to read as follows:

Housing and community development funds. "Housing and community development funds" means fund sources that are targeted to serve the housing and community development needs of very low, low and moderate-income households.

SECTION 19. Ordinance 3269, Section 207, and K.C.C. 24.08.090 are each hereby repealed.

SECTION 20. Ordinance 3269, Section 208, and K.C.C. 24.08.100 are each hereby repealed.

SECTION 21. Ordinance 3269, Section 209, and K.C.C. 24.08.110 are each hereby repealed.

SECTION 22. Ordinance 3269, Section 211, and K.C.C. 24.08.130 are each hereby repealed.

SECTION 23. Ordinance 3269, Section 212, and K.C.C. 24.08.140 are each hereby repealed.

SECTION 24. Ordinance 3269, Section 213, and K.C.C. 24.08.150 are each hereby repealed.

NEW SECTION. SECTION 25. There is hereby added to K.C.C. chapter 24.08 a new section to read as follows:

Joint recommendations committee - JRC. "Joint recommendations committee" or "JRC" means the inter-jurisdictional committee established in accordance with section 45 of this ordinance.

NEW SECTION. SECTION 26. There is hereby added to K.C.C. chapter 24.08 a new section to read as follows:

King County consortia. "King County consortia" means consortium partnerships between King County and its cities and towns for the purpose of administering and distributing housing and community development funds regionally and subregionally, including, but not limited to the CDBG Consortium, the HOME Consortium and the Regional Affordable Housing Program Consortium.

SECTION 27. Ordinance 3269, Section 214, and K.C.C. 24.08.160 are each hereby amended to read as follows:

Low-income household. "Low-income household" means a household whose total income is higher than that of a very low-income household but no higher than fifty percent of the median income level for the county as defined by HUD. Specific ~~((median))~~ low-income levels vary according to household size.

SECTION 28. Ordinance 3269, Section 215, and K.C.C. 24.08.170 are each hereby amended to read as follows:

Median-income household. "Median-income household" means a household whose income is at the median income level for the county as defined ~~((in the annual Housing Assistance Plan))~~ by HUD. Specific median-income levels vary according to household size.

SECTION 29. Ordinance 3269 (part) and K.C.C. 24.08.180 are each hereby repealed.

SECTION 30. Ordinance 3269, Section 216, and K.C.C. 24.08.190 are each hereby amended to read as follows:

Moderate-income household. "Moderate-income household" means a household whose total income is higher than that of a low-income household but no higher than eighty percent of the median income level for the county as defined by HUD. Specific moderate-income levels vary according to household size.

SECTION 31. Ordinance 3269, Section 217, and K.C.C. 24.08.200 are each hereby repealed.

SECTION 32. Ordinance 6927, Section 5, and K.C.C. 24.08.202 are each hereby repealed.

SECTION 33. Ordinance 6927, Section 4, and K.C.C. 24.08.204 are each hereby repealed.

SECTION 34. Ordinance 3269 (part), as amended, and K.C.C. 24.08.210 are each hereby repealed.

SECTION 35. Ordinance 3269 (part), as amended, and K.C.C. 24.08.220 are each hereby repealed.

SECTION 36. Ordinance 3269, Section 218, and K.C.C. 24.08.230 are each hereby repealed.

NEW SECTION. SECTION 37. There is hereby added to K.C.C. chapter 24.08 a new section to read as follows:

Regional affordable housing program - RAHP. "Regional affordable housing program" or "RAHP" means the local fund program for low-income housing created under RCW 36.22.178.

NEW SECTION. SECTION 38. There is hereby added to K.C.C. chapter 24.08 a new section to read as follows:

Regional affordable housing program consortium - RAHP consortium. "Regional affordable housing program consortium" or "RAHP consortium" means the alliance of King County and the cities and towns in King County that choose to participate in order to administer the RAHP funds as a regional fund.

SECTION 39. Ordinance 6927, Section 3, and K.C.C. 24.08.245 are each hereby repealed.

SECTION 40. Ordinance 3269 (part), as amended, and K.C.C. 24.08.250 are each hereby repealed.

NEW SECTION. SECTION 41. There is hereby added to K.C.C. chapter 24.08 a new section to read as follows:

Very low-income household. "Very low-income household" means a household whose total income is no higher than thirty percent of the median income level for the county as defined by HUD. Specific very low-income levels vary according to household size.

SECTION 42. Ordinance 10504, Section 13, and K.C.C. 24.12.005, Ordinance 10504, Section 14, and K.C.C. 24.12.015, Ordinance 10504, Section 15, and K.C.C. 24.12.025, Ordinance 10504, Section 16, and

K.C.C. 24.12.035, Ordinance 10504, Section 17, and K.C.C. 24.12.045, Ordinance 10504, Section 18, and K.C.C. 24.12.055 and Ordinance 10504, Section 19, and K.C.C. 24.12.065 are each hereby repealed.

SECTION 43. Sections 44 through 46 of this ordinance should constitute a new chapter in K.C.C. Title 24.

NEW SECTION. SECTION 44. Interlocal agreements. The formation of King County consortia to plan the distribution and administration of housing and community development funds, including, but not limited to the CDBG consortium, the HOME consortium and the RAHP consortium, may be established by interlocal agreements that are approved by the county council by ordinance and by the legislative authorities of the participating jurisdictions.

King County consortia interlocal agreements for housing and community development funds shall address general distribution of funds, use of funds, responsibilities and powers, general terms and the establishment of the joint recommendations committee. The types of consortia interlocal agreements may include, but are not limited to:

A. A CDBG agreement for cities that do not qualify to receive their own CDBG funds, but that instead participate in both the CDBG and HOME consortia. All funds are allocated consortium-wide and subregionally to the north/east and south subregions of the county in accordance with the consolidated housing and community development plan.

B. A CDBG joint agreement for cities that choose to participate in the King County CDBG consortium for the purpose of planning and implementing a joint community development and housing program, even though they could qualify to receive their own CDBG funds directly from HUD. These cities also participate in the HOME consortium. Joint agreement cities retain a portion of CDBG funds to allocate to projects that are selected by the city, and contribute a portion of funds to consortium-wide programs and administration of funds. All funds allocated by the joint agreement city and through the consortium-wide process must be consistent with the consolidated housing and community development plan;

C. A HOME agreement for cities that receive their own CDBG funds directly from HUD but do not qualify to receive their own HOME funds. These cities participate only in the HOME consortium. HOME funds are allocated consortium-wide pursuant to the consolidated housing and community development plan; and

D. A RAHP agreement for all cities in the county that choose to participate in the regional affordable housing program. RAHP funds are allocated regionally pursuant to guidelines adopted by the county council.

NEW SECTION. SECTION 45. Joint recommendations committee. The King County consortia may establish a joint recommendations committee that is advisory to the executive and that reviews and recommends specific projects and program guidelines to be undertaken with housing and community development funds, consistent with the consolidated plan. The joint recommendations committee shall be composed of county representatives and representatives from cities participating in a consortium established by interlocal agreement.

The executive shall appoint the county representatives on the joint recommendations committee. The consortia city representatives on the joint recommendations committee shall be chosen from amongst the participating cities, in accordance with the applicable interlocal agreements.

The executive shall staff the joint recommendations committee. The committee shall meet regularly in accordance with a schedule that the committee shall establish at the beginning of each calendar year. Joint recommendations committee meetings shall be open to the public.

NEW SECTION. SECTION 46. Consolidated housing and community development plan. The overarching policies, goals and objectives for planning the distribution and administration of federal housing and community development funds and related state and local funds shall be developed in the consolidated housing and community development plan. A new consolidated plan shall be adopted by the county council at least every five years or as authorized by HUD.

The executive shall develop the consolidated plan in accordance with HUD regulations, and in

consultation with the cities in the King County consortia, other governmental offices, community-based agencies, service providers, housing developers and the public.

The executive shall take advice from the joint recommendations committee on the proposed consolidated plan, and the executive shall propose the final consolidated plan to the county council for adoption by ordinance.

SECTION 47. Ordinance 3269, Section 401, and K.C.C. 24.16.010, Ordinance 3269, Section 402, as amended, and K.C.C. 24.16.020, Ordinance 3269, Section 403, as amended, and K.C.C. 24.16.030, Ordinance 3269, Section 404, and K.C.C. 24.16.040, Ordinance 3269, Section 405, as amended, and K.C.C. 24.16.050 and Ordinance 3269, Section 406, as amended, and K.C.C. 24.16.060 are each hereby repealed.

SECTION 48. Sections 49 and 50 of this ordinance should constitute a new chapter in K.C.C. Title 24.

NEW SECTION. SECTION 49. Appropriation. The county council may annually appropriate federal CDBG, HOME and ESG funds, as well as RAHP funds and other funds that are, or may become, available for the housing and community development needs of very low, low and moderate-income households and communities in accordance with the consolidated housing and community development plan. Funds appropriated for those purposes are intended to support housing and community development programs that may include, but are not limited to, the following:

- A. Development, preservation and rehabilitation of rental housing affordable to very low, low and moderate-income households;
- B. Preservation, rehabilitation and repair of the housing owned by very low, low and moderate-income households;
- C. Development of ownership housing for very low, low and moderate-income households;
- D. Access to renter and ownership housing for very low, low and moderate-income households and households with special needs;
- E. Homelessness prevention for very low, low and moderate-income households;

F. Homeless housing programs and services for very low, low and moderate-income households;

G. Human services for very low, low and moderate-income households;

H. Development and preservation of community facilities that primarily serve very low, low and moderate-income households and communities;

I. Public infrastructure and other improvements of the living environment in very low, low and moderate-income communities; and

J. Expanding economic opportunities for very low, low and moderate-income households.

NEW SECTION. SECTION 50. Authority.

A. The executive may administer the CDBG, HOME, ESG and RAHP fund programs, as well as other housing and community development fund sources that might become available to serve very low, low and moderate-income households and communities in King County. The executive shall administer the housing and community development fund programs in compliance with all applicable fund program rules, regulations and guidelines, and in accordance with the King County consortia interlocal agreements and the consolidated housing and community development plan.

B. The executive may appoint the county representatives on the joint recommendations committee and shall staff the committee. In administering the housing and community development fund programs, the executive shall consider the joint recommendations committee's recommendations as to choice of projects and programs to be undertaken with housing and community development funds, administrative program guidelines and other issues relevant to program administration that might arise.

C. The executive may control the housing and community development funds annually appropriated by the county council, including CDBG, HOME, ESG and RAHP funds. The executive may disburse funds in the manner that is most appropriate to the housing and community development program area, but only if the disbursement complies with the applicable fund program laws, rules, regulations, guidelines and the consolidated housing and community development plan.

SECTION 51. Ordinance 3269 (part), as amended, and K.C.C. 24.20.010, Ordinance 3269 (part), as amended, and K.C.C. 24.20.020, Ordinance 3269 (part), as amended, and K.C.C. 24.20.030, Ordinance 3269 (part), as amended, and K.C.C. 24.20.040, Ordinance 3269 (part), as amended, and K.C.C. 24.20.050 and Ordinance 3269 (part), as amended, and K.C.C. 24.20.060 are each hereby repealed.

SECTION 52. Ordinance 3269 (part), as amended, and K.C.C. 24.24.010, Ordinance 3269 (part), as amended, and K.C.C. 24.24.020, Ordinance 3269 (part), as amended, and K.C.C. 24.24.030, Ordinance 3269 (part), as amended, and K.C.C. 24.24.040 and Ordinance 3269 (part), as amended, and K.C.C. 24.24.050 are each hereby repealed.

SECTION 53. Ordinance 3269, Section 501, and K.C.C. 24.60.010, Ordinance 3269, Section 502, and K.C.C. 24.60.020 and Ordinance 3269, Section 503, and K.C.C. 24.60.030 are each hereby repealed.

SECTION 54. Ordinance 6928, Section 2, as amended, and K.C.C. 24.64.010, Ordinance 10504, Section 21, and K.C.C. 24.64.015, Ordinance 6928, Section 3, as amended, and K.C.C. 24.64.020, Ordinance 6928, Section 4, as amended, and K.C.C. 24.64.030, Ordinance 6928, Section 5, as amended, and K.C.C. 24.64.040 and Ordinance 6928, Section 8, as amended, and K.C.C. 24.64.060 are each hereby repealed.