



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

November 6, 2012

Ordinance 17461

Proposed No. 2012-0402.1

Sponsors McDermott

1 AN ORDINANCE relating to the cultural development
2 authority reflecting changes made to RCW 67.28.180 by
3 the state Legislature in 2011; making technical corrections;
4 amending Ordinance 8300, Section 2, as amended, and
5 K.C.C. 2.48.020, Ordinance 14440, Section 3, as amended,
6 and K.C.C. 2.49.200 , Ordinance 12807, Sections 6 and 7,
7 as amended, and K.C.C. 4A.520.020 and Ordinance 12076,
8 Section 9, as amended, and K.C.C. 4.08.015 and repealing
9 Ordinance 14433, Section 2, as amended, and K.C.C.
10 4.08.195.

11 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

12 SECTION 1. Ordinance 14433, Section 2, as amended, and K.C.C. 4.08.195 are
13 each hereby repealed.

14 SECTION 2. Ordinance 8300, Section 2, as amended, and K.C.C. 2.48.020 are
15 each hereby amended to read as follows:

16 Words in this chapter have their ordinary and usual meanings except those
17 defined in this section, which have, in addition, the following meanings. If there is
18 conflict, the specific definitions in this section shall presumptively, but not conclusively,
19 prevail.

20 A. "Charter" means the articles of organization of the cultural development
21 authority adopted by the county and all amendments thereto.

22 B. "Cultural development authority" or "authority" means the cultural
23 development authority of King County established under K.C.C. chapter 2.49.

24 C. "Cultural education" means the sequential and comprehensive study of the
25 elements of the various arts and heritage forms and how to use them creatively, including
26 instruction in skills, critical assessment, the history of the arts and heritage forms and
27 aesthetic judgment.

28 D. "Cultural facilities" means publicly accessible buildings and structures that are
29 used primarily for the performance, exhibition or benefit of arts and heritage activities,
30 including, but not limited to, performing arts, visual arts, heritage and cultural endeavors.

31 E. "Cultural programs" means the programs for cultural education, cultural
32 facilities, special projects and sustained support.

33 F. "Cultural resources" means community and regional programs and projects
34 relating to performing, visual, literary and other arts; public and civic art; heritage;
35 museum and archival collections; historic preservation; cultural education; and cultural
36 organizations, institutions and attractions.

37 G. "Culture" means the arts and heritage disciplines, which include, but are not
38 limited to, dance, drama, theatre, music, visual arts, literary arts, media arts, performing
39 arts, traditional and folk arts, ethnic arts and history, heritage and historic preservation.

40 H. "Fixed assets" means tangible objects such as machinery or equipment
41 intended to be held for ten years or more that will benefit cultural institutions.

42 I. "Heritage" means King County's history, ethnic history, indigenous and
43 traditional culture, folklore and historic and archaeological resources and those projects
44 and programs initiated by the authority to preserve King County's heritage and to support
45 community and regional heritage organizations and public agencies in such efforts.

46 J. "Historic preservation" means the preservation or conservation of the county's
47 historic and archaeological resources and those programs and projects initiated by the
48 authority to foster such preservation or conservation through non-regulatory activities
49 such as interpretation, community education and outreach, cultural tourism and
50 rehabilitation of historic resources.

51 K. "Hotel-motel tax revenues" means funds designated for cultural purposes as
52 described in RCW 67.28.180 and deposited into the arts and cultural development fund
53 and the cultural resources (~~(endowment fund)~~) special account and used for the purposes
54 described in this chapter and K.C.C. chapter 4.42.

55 L. "Individual artist" means an artist acting individually and independently
56 without affiliation to or with another individual, group or organization.

57 SECTION 3. Ordinance 14440, Section 3, as amended, and K.C.C. 2.49.200 are
58 each hereby amended to read as follows:

59 A. Hotel-motel revenues deposited in The King County arts and cultural
60 development fund, created under K.C.C. 4.08.190, shall be administered by the cultural
61 development authority.

62 B. Hotel-motel revenues deposited in the King County arts and cultural
63 development fund shall be used to support the cultural programs described in K.C.C.
64 chapter 2.48: cultural facilities; cultural education; special projects; and sustained

65 support. The hotel-motel revenues in the fund shall also support related administration of
66 those programs by the cultural development authority.

67 C. Through December 31, 2012, at least forty percent of the hotel-motel revenues
68 appropriated to the arts and cultural development fund and transferred to the cultural
69 development authority shall be deposited in an account and used to establish cultural
70 endowment. Principle and interest shall be managed by the cultural development
71 authority in accordance with RCW 67.28.180(3)(a).

72 D. After allocating the hotel-motel portion of the arts and cultural development
73 fund to administer cultural programs (~~((and to build the cultural endowment))~~), the cultural
74 development authority shall divide the hotel-motel revenues in the arts and cultural
75 development fund between arts programs and heritage programs, but at least twenty
76 percent of the revenue shall be allocated to heritage programs.

77 E. Beginning January 1, 2002, using revenues generated in 2001, outstanding
78 debt service obligations shall be financed from hotel-motel revenues in the arts and
79 cultural development fund. The obligations incurred before December 31, 2002, shall be
80 managed by the department of executive services and paid by the cultural development
81 authority.

82 F. After deducting the amount necessary to meet debt service obligations, the
83 cultural development authority shall allocate hotel-motel revenues intended to support
84 arts programs from the arts and cultural development fund as follows:

85 1. For cultural facilities and sustained support, eighty percent of remaining arts
86 program revenues, but sustained support shall receive at least thirty percent of the eighty
87 percent; and

88 2. For special projects and cultural education, twenty percent of remaining arts
89 program revenues, but special projects shall receive at least thirty-four percent of the
90 twenty percent.

91 G. After deducting the amount necessary to meet debt service allocations, the
92 cultural development authority shall allocate hotel-motel revenues intended to support
93 heritage programs from the arts and cultural development fund as follows:

94 1. For cultural facilities and sustained support, seventy percent of remaining
95 heritage program revenues, but sustained support shall receive at least twenty percent of
96 the seventy percent;

97 2. For special projects, thirty percent of remaining heritage program revenues,
98 and

99 H. Hotel-motel revenues from the arts and cultural development fund shall not be
100 used to support services and programs to be provided by the King County landmarks
101 commission for land use regulation and archaeological resource management purposes as
102 described in K.C.C. chapter 20.62.

103 SECTION 4. Ordinance 12807, Sections 6 and 7, as amended, and K.C.C.
104 4A.520.020 are each hereby amended to read as follows:

105 A. Refinancing of Kingdome debt and dedication of hotel-motel tax revenue. It
106 is the intent of the County to issue bonds to repay or refinance all or a portion of the
107 existing bonded debt on the Kingdome, including but not limited to roof repairs, claims,
108 and related costs. Such bonds, to be approved by future ordinance, shall be limited to tax
109 general obligation bonds to which the county will also pledge the hotel-motel tax
110 authorized by RCW 67.28.180, as amended by Referendum 48 sec. 501. Revenues

111 received from such tax from January 1, 2013 through December 31, 2015 in excess of the
112 amount required for this purpose shall be (~~transferred to the stadium and exhibition~~
113 ~~center account under RCW 67.28.180(3)(b))~~ deposited in the cultural resources special
114 account.

115 B. Pledge to maintain and continue taxes. The county hereby pledges to maintain
116 and continue the taxes authorized in RCW 36.38.010(5), 67.28.180 and (~~RCW~~)
117 36.38.040, until the bonds authorized in RCW 43.99N.020 are fully redeemed, both
118 principal and interest. The county further pledges and dedicates to the repayment of the
119 bonds issued to finance a stadium and exhibition center the full 2.0 percent hotel-motel
120 tax during the years 2016 through 2020 in accordance with RCW 67.28.180 and
121 82.14.049 (~~together with excess revenues from such tax during the years 2013 through~~
122 ~~2015 beyond that needed to pay Kingdome debt~~).

123 SECTION 5. Ordinance 12076, Section 9, as amended, and K.C.C. 4.08.015 are
124 each hereby amended to read as follows:

125 A. First tier funds and fund managers are as follows:

Fund No.	Fund Title	Fund Manager
103	County Road	Dept. of Transportation
104	Solid Waste Landfill Post Closure Maintenance	Dept. of Natural Resources and Parks
106	Veterans' Relief	Dept. of Community and Human Services
109	Recorder's O & M	Dept. of Executive Services
111	Enhanced-911 Emergency Tel System	Dept. of Executive Services

112	Mental Health	Dept. of Community and Human Services
113-5	Mental Illness and Drug Dependency	Dept. of Community and Human Services
114-1	Veterans' Services Levy	Dept. of Community and Human Services
114-2	Health and Human Services Levy	Dept. of Community and Human Services
115	Road Improvement Guaranty	Dept. of Transportation
117	Arts and Cultural Development	Dept. of Executive Services
119	Emergency Medical Services	Dept. of Public Health
121	Surface Water Management	Dept. of Natural Resources and Parks
122	Automated Fingerprint Identification System	Dept. of Public Safety
124	Citizen Councilor Revolving	Auditor
128	Local Hazardous Waste	Dept. of Public Health
129	Youth Sports Facilities Grant	Dept. of Natural Resources and Parks
131	Noxious weed control fund	Dept. of Natural Resources and Parks
134	Development and Environmental Services	Dept. of Development and Environmental Services
137	Clark Contract Administration	Office of Performance, Strategy and Budget
138	Parks Trust and Contribution	Dept. of Natural Resources and Parks
139	Risk Abatement	Office of Performance, Strategy and Budget
145	Parks and Recreation	Dept. of Natural Resources and Parks

156-1	KC Flood Control Operating <u>Contract</u>	Dept. of Natural Resources and Parks
164	Two-Tenths Sales Tax Revenue Receiving	Dept. of Transportation
165	Public Transit Self Insurance	Dept. of Transportation
180-1	Public Health Healthcare Coalition	Dept. of Public Health
215	Grants tier 1 fund	Dept. of Executive Services
216	Cultural Resource Mitigation Fund	Office of Performance, Strategy and Budget
315	Conservation Futures	Dept. of Natural Resources and Parks
316	Parks, Rec. and Open Space	Dept. of Natural Resources and Parks
320	Public Art Fund	Dept. of Executive Services
322	Housing Opportunity Acquisition	Dept. of Community and Human Services
329	SWM CIP Construction 1992-1997	Dept. of Natural Resources and Parks
331	Long-Term Leases	Dept. of Executive Services
338	Airport Construction	Dept. of Transportation
339	Working Forest 1995 B	Dept. of Natural Resources and Parks
340	Park Lands Acquisition 1993	Dept. of Natural Resources and Parks
340-3	Urban Reforestation and Habitat Restoration	Dept. of Natural Resources and Parks
341	Arts and Historic Preservation Capital	Dept. of Executive Services
342	Major Maintenance Reserve	Dept. of Executive Services
346	Regional Justice Center Construction	Dept. of Executive Services

347	Emergency Communications System	Dept. of Executive Services
349	Parks Facilities Rehabilitation	Dept. of Natural Resources and Parks
350	Open Space Acquisition	Dept. of Natural Resources and Parks
357-1	KC Flood Control Capital Contract	Dept. of Natural Resources and Parks
358	Parks Capital Fund	Dept. of Natural Resources and Parks
364-3	Transit Cross-Border Lease Financing Fund	Dept. of Executive Services
368	Real Estate Excise Tax Capital Summary Fund	Dept. of Performance Strategy and Budget
369	Transfer of Development Credits Program (TDC) Fund	Dept. of Natural Resources Parks
377-1	KCIT Capital Fund	Dept. of Information Technology
378	KCIT Enterprise Services Capital Improvement Fund	Dept. of Information Technology
381	Solid Waste Cap Equip Recovery	Dept. of Natural Resources and Parks
383	Solid Waste Environmental Reserve	Dept. of Natural Resources and Parks
384	Farmland and Open Space Acquisition	Dept. of Natural Resources and Parks
385	Renton Maintenance Fac. Const	Dept. of Transportation
386	County Road Construction	Dept. of Transportation
390	Solid Waste Construction	Dept. of Natural Resources and Parks
391	Landfill Reserve	Dept. of Natural Resources and Parks
394	Kingdome CIP	Dept. of Executive Services

395	Building Capital Improvement	Dept. of Executive Services
396	HMC Building Repair and Replacement	Dept. of Executive Services
404	Solid Waste Operating	Dept. of Natural Resources and Parks
429	Airport Operating	Dept. of Transportation
453-1	Institutional Network Operating Fund	Dept. of Information Technology
461	Water Quality	Dept. of Natural Resources and Parks
464	Public Transportation	Dept. of Transportation
542	Safety and Workers' Compensation	Dept. of Executive Services
544	Wastewater Equipment Rental and Revolving Fund	Dept. of Transportation
546	Department of Executive Service Equipment Replacement	Dept. of Information Technology
547	KCIT Strategy and Performance Operating Fund	Dept. of Information Technology
550	Employee Benefits Program	Dept. of Executive Services
551	Facilities Management	Dept. of Executive Services
552	Insurance	Dept. of Executive Services
557	Public Works Equipment Rental	Dept. of Transportation
558	Motor Pool Equipment Rental	Dept. of Transportation
(603)	Cultural Resources Endowment	Dept. of Executive Services
622	Judicial Administration Trust and Agency	Dept. of Judicial Administration

624	School District Impact Fee	Office of Performance, Strategy and Budget
674	Refunded Ltd GO Bond Rdmp.	Dept. of Executive Services
675	Refunded Unltd GO Bond	Dept. of Executive Services
676	H&CD Escrow	Dept. of Executive Services
693	Deferred Compensation	Dept. of Executive Services
694	Employee Giving Program Contributions	Dept. of Executive Services
696	Mitigation Payment System	Dept. of Transportation
840	Limited GO Bond Redemption	Dept. of Executive Services
843	DMS Limited GO Bonds	Dept. of Executive Services
851	Stadium GO Bond Redemption	Dept. of Executive Services
890	ULID Assessment - 1981	Dept. of Transportation
1010	Climate Exchange Fund	Office of Performance, Strategy and Budget
1411	Rainy Day Reserve	Office of Performance, Strategy and Budget
1421	Children and Families Services	Dept. of Community and Human Services
1432	Animal Bequest Fund	Dept. of Executive Services
1471	Historical Preservation and Historical Programs Fund	Dept. of Executive Services
1590	Marine Division Operating Fund	Dept. of Transportation

3590 Marine Division Capital Fund Dept. of Transportation

5490 Business Resource Center Fund Dept. of Executive Services

126 B. The following shall also be first tier funds:

127 1. All funds now or hereafter established by ordinance for capital construction
128 through specific road improvement districts, utility local improvement districts or local
129 improvement districts. The director of the department of transportation shall be the fund
130 manager for transportation-related funds. The director of the department of natural
131 resources and parks shall be the fund manager for utility-related funds.

132 2. All county funds that receive original proceeds of borrowings made under
133 Chapter 216, Washington Laws of 1982, as now existing or hereafter amended, to the
134 extent of the amounts then outstanding for the borrowings for that fund. For purposes of
135 this subsection, the director of the county department or office primarily responsible for
136 expenditures from that fund shall be the fund manager.

137 3. Any other fund as the council may hereinafter prescribe by ordinance to be

138 invested for its own benefit. County funds shall be treated as provided in K.C.C.

139 4.10.110 unless a designation is made by the council.

140

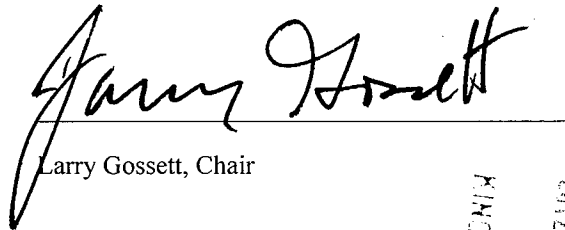
Ordinance 17461 was introduced on 10/1/2012 and passed by the Metropolitan King County Council on 11/5/2012, by the following vote:

Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,
Ms. Patterson, Ms. Lambert, Mr. Ferguson, Mr. Dunn and Mr.
McDermott

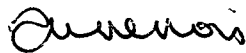
No: 0

Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Larry Gossett, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 9 day of November, 2012.



Dow Constantine, County Executive

Attachments: None

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CLERK
KING COUNTY COUNCIL