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**Title:** AN ORDINANCE creating the King County historical preservation and historical programs fund; amending Ordinance 12076, Section 9, as amended, and K.C.C. 4.08.015 and adding a new section to K.C.C. chapter 4.08.

**Sponsors:** Kathy Lambert

**Indexes:** Historic Preservation

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| Date       | Ver. | Action By                        | Action                  | Result |
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| 11/23/2009 | 1    | Metropolitan King County Council | Introduced and Referred |        |

Clerk 11/19/2009

AN ORDINANCE creating the King County historical preservation and historical programs fund; amending Ordinance 12076, Section 9, as amended, and K.C.C. 4.08.015 and adding a new section to K.C.C. chapter 4.08.

PREAMBLE:

In 2005, the state legislature passed House Bill 1386, which became Chapter 442, Laws of Washington 2005, and which increased the document recording surcharge under RCW 36.22.170 and specified that one dollar of the surcharge was to be used at the discretion of the county commissioners "to promote historical preservation or historical programs, which may include preservation of historic documents."

In a 2008 audit requested by the council, the county auditor determined that King County properly accounted for revenues generated from the increased recording surcharge and used the discretionary portion of the surcharge revenues for authorized purposes.

However, the auditor noted the county had not designated the historic preservation surcharge account in the general fund as a restricted account, making it difficult to track the use of the surcharge revenues.

The audit also recommended that the council consider adopting legislation or directing the executive to develop policies and procedures for defining historic preservation and relevant uses of the surcharge revenue to promote accountability and transparency for interested community groups and the general public.

In 2009, in Ordinance 16579 the council created the historic preservation and historical programs advisory task force to explore how to use the surcharge. The task force was required to make interim recommendations by November 1, 2009, and submit a final report by March 1, 2010. In its interim recommendation submitted on October 30, 2009, the task force recommended that the surcharge revenue be allocated between 4Culture heritage and preservation programs and the King County historic preservation program "with an intention to maintain the integrity of the essential offerings these programs provide throughout King County," but also with the hope that House Bill 1386 funding would provide "an opportunity to expand existing programs and support new initiatives on a countywide basis." However, 4Culture is a public corporation separate from King County. Therefore, this ordinance places responsibility for managing the surcharge revenue with the county's historic preservation program which resides with the office of strategic planning and performance management. This ordinance responds to the recommendations of the audit and the task force by creating a dedicated fund that allows surcharge expenditures to be clearly tracked, and directs the development of operating procedures for disbursement of the funds to be spent on historical preservation or historical programs.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

NEW SECTION. SECTION 1. There is hereby added to K.C.C. chapter 4.08 a new section to read as follows:

A. There is hereby created the King County historical preservation and historical programs fund to provide for the receipt of revenues and the disbursement of expenditures of the one dollar surcharge to promote historical preservation or historical programs allowed under RCW 36.22.170. The fund shall be a first tier fund as described in this chapter.

B. The King County historic preservation officer or the historic preservation officer's designated representative shall be responsible for the administration of the fund, including the preparation and issuance of operating procedures deemed necessary to ensure the proper administrative implementation of the policies governing the purpose and use of the fund. The operating procedures shall be approved by the King County landmarks commission before any expenditure from the fund may be made.

C. The fund may only be used to promote historical preservation or historical programs, which may include preservation of historic documents.

SECTION 2. Ordinance 12076, Section 9, as amended, and K.C.C. 4.08.015 are each hereby amended to read as follows:

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

| <b>Fund No.</b> | <b>Fund Title</b>                             | <b>Fund Manager</b>                   |
|-----------------|---|---------------------------------------|
| 103             | County Road                                   | Dept. of Transportation               |
| 104             | Solid Waste Landfill Post Closure Maintenance | Dept. of Natural Resources and Parks  |
| 106             | Veteran's 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               |

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| 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 Management and Budget  |
| 138   | Parks Trust and Contribution                | Dept. of Natural Resources and Parks   |
| 139   | Risk Abatement                              | Office of Management and Budget  |
| 145   | Parks and Recreation                        | Dept. of Natural Resources and Parks   |
| 156-1 | KC Flood Control Operating Contract         | Dept. of Natural Resources and Parks   |
| 164   | Two-Tenths Sales Tax Revenue Receiving      | Dept. of Transportation  |
| 165   | Public Transit Self Insurance               | Dept. of Transportation  |
| 215   | Grants tier 1 fund                          | Dept. of Executive Services  |
| 216   | Cultural Resource Mitigation Fund           | <del>((Office of Business Relations &amp; Economic Development))</del> <u>Office of Strategic Planning and Performance Measurement</u> |
| 309   | Neighborhood Parks and Open Space           | Dept. of Executive Services  |
| 312   | HMC Long Range CIP                          | Dept. of Executive Services  |
| 315   | Conservation Futures                        | Dept. of Natural Resources and Parks   |
| 316   | Parks, Rec. and Open Space                  | Dept. of Executive Services  |
| 318   | Surface and Storm Water Mgmt Const          | Dept. of Natural Resources and Parks   |
| 320   | Public Art Fund                             | Dept. of Executive Services  |
| 322   | Housing Opportunity Acquisition             | Dept. of Community and Human Services  |
| 326   | 1990 Series B Youth Detention Facility      | Dept. of Executive Services  |
| 327   | Equipment and Building Acquisition          | Dept. of Executive Services  |
| 329   | SWM CIP Construction 1992-1997              | Dept. of Natural Resources and Parks   |
| 331   | Long-Term Leases                            | Dept. of Executive Services  |
| 334   | Capital Acqn and County Fac Renovation      | Office of Management and Budget  |
| 335   | Youth Services Facilities Construction      | Dept. of Executive Services  |

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| 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 Natral Resources and Parks       |
| 341   | Arts and Historic Preservation Capital                      | Dept. of Executive Services               |
| 342   | Major Maintenance Reserve                                   | Dept. of Executive Services               |
| 343   | Core GIS Capital Project                                    | Dept. of Natural Resources and Parks      |
| 346   | Regional Justice Center Construction                        | Dept. of Executive Services               |
| 347   | Emergency Communications System                             | Dept. of Executive Services               |
| 349   | Parks Facilities Rehabilitation                             | Dept. of Executive Services               |
| 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 Executive Services               |
| 369   | Transfer of Development Credits Program (TDC) Fund          | Dept. of Natural Resources Parks          |
| 377-1 | OIRM Capital Fund   | Office of Information Resource Management |
| 378   | Information and Telecommunications Capital Improvement Fund | Dept. of Executive Services               |
| 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                   |
| 387   | HMC Construction  | Dept. of Executive Services               |
| 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      |

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| 429   | Airport Operating   | Dept. of Transportation   |
| 448   | Stadium Management  | Dept. of Executive Services                                     |
| 453-1 | Institutional Network Operating Fund                        | Dept. of Executive Services                                     |
| 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 Executive Services                                     |
| 547   | Office of Information Resource Management Operating Fund    | Dept. of Executive Services                                     |
| 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   |
| 560   | Printing/Graphic Arts Services                              | Dept. of Executive Services                                     |
| 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 Management 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 Charitable Campaign 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 Management and Budget                                 |
| 1411  | Rainy Day Reserve   | Office of Management and Budget                                 |
| 1421  | Children and Families Services                              | Dept. of Community and Human Services                           |
| 1590  | Marine Division Operating Fund                              | Dept. of Transportation   |
| 3590  | Marine Division Capital Fund                                | Dept. of Transportation   |
| ****  | <u>Historical Preservation and Historical Programs Fund</u> | <u>Office of Strategic Planning and Performance Measurement</u> |

B. The following shall also be first tier funds:

1. All funds now or hereafter established by ordinance for capital construction through specific road

improvement districts, utility local improvement districts or local improvement districts. The director of the department of transportation shall be the fund manager for transportation-related funds. The director of the department of natural resources and parks shall be the fund manager for utility-related funds.

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

3. Any other fund as the council may hereinafter prescribe by ordinance to be invested for its own benefit. County funds shall be treated as provided in K.C.C. 4.10.110 unless a designation is made by the council.