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Title: AN ORDINANCE directing use of the King County historical preservation and historical programs fund; and amending Ordinance 16835, Section 1, and K.C.C. 4.08.199.

Sponsors: Kathy Lambert

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Clerk 09/20/2010

AN ORDINANCE directing use of the King County historical preservation and historical programs fund; and amending Ordinance 16835, Section 1, and K.C.C. 4.08.199.

PREAMBLE:

For more than forty years, King County has been a leader in its support for cultural resources. Heritage and historic preservation enhance the quality of life for our citizens, preserve our rich regional heritage and foster civic pride.

The King County historic preservation program is a model local historic preservation program that works to preserve and protect the county's historic buildings, structures and archaeological sites that lend high quality of life and economic value to all residents and future generations.

The program's many accomplishments include enhancement and recognition of historic transportation corridors, design guidance for historic main streets in rural and suburban areas and adaptive reuse of historic residential, commercial and agricultural building stock. The program has a critical mandate to review federal projects that impact historic properties to ensure compliance with local, state and federal cultural resource laws. The four program staff members also offer hands-on assistance to property owners and services to eighteen contract cities, in addition to countywide technical expertise to preservation projects.

Beginning with 2003, the county created the cultural development authority, known as 4Culture, to serve as the county's cultural services agency, providing programs, financial support and services in the arts, public art, heritage and historic preservation. 4Culture exists outside King County government and utilizes funds from several sources to support and advocate for the cultural resources of the region, predominantly through providing direct grants for heritage and historic preservation purposes, so that King County citizens and visitors have access to high-quality cultural programs and experiences, according to K.C.C. 2.49.030.

The King County historic preservation program staffs the King County landmarks commission, which is a quasi-judicial body responsible for designating and regulating historic and archaeological resources. By law, this function can be provided only by county government. 4Culture provides grants to enhance the historic resources protected by local governments. Both programs are valued by all county residents interested in preservation and heritage.

In 2005, the state legislature passed House Bill 1386, which became Chapter 442, Laws of Washington 2005. It 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 2009, in Ordinance 16579 the council created the historic preservation and historical programs advisory task force. The task force was charged with making short-term and long-term recommendations to the council about how to allocate the recording fee surcharge in order to best support and promote historic preservation and historical programs in King County.

The task force was comprised of eight members with experience in historic preservation or historical programs and representing varied organizations and the county's geographic diversity.

The task force submitted a final report on March 1, 2010, without unanimous recommendations for use of the surcharge. The task force recommended that the surcharge funds be used to supplement, not supplant, existing county funding sources for heritage and historic preservation.

The county's general fund, however, no longer can support historical and heritage programs beyond those legally mandated, which is insufficient to adequately protect the heritage resources of King County.

The task force's first recommendation was the creation of a dedicated first tier account to allow for specific tracking of expenditures for the one-dollar surcharge. In May 2009, the council adopted Ordinance 16835, creating the historical preservation and historical programs fund for the receipt of revenues and the disbursement of expenditures of the one dollar surcharge to promote historical preservation or historical programs as allowed under RCW 36.22.170.

The task force's second recommendation was that the one-dollar document recording fee surcharge be allocated between the King County historic preservation program and the King County cultural development authority. Specifically, the task force suggested that from 2011 through 2015, the King County historic preservation program should receive forty percent and the cultural development authority sixty percent. From 2016 and thereafter, the King County historic preservation program should receive thirty-five percent and the cultural development authority sixty-five percent.

Three members of the task force filed a minority report that recommended more funding for King County's historic preservation program. The minority report recommended the surcharge be used to continue adequate funding for basic essential services provided by the King County historic preservation program.

The task force was created by the council in order to lend input from the historical preservation and historical programs community on how best to use the document surcharge funds. The council appreciates the extensive time and effort committed by the task force in this endeavor. The task force's report recognizes the difficult current economic climate, but does not evaluate overall program needs and impacts to contract cities or the limitations on funding to support the county's vital historical preservation services.

This ordinance directs that the historical preservation and historical programs fund be allocated to King County's historic preservation program, which has the primary mission of historical preservation and the expertise needed to fulfill that function. It is the intent of the county that the historical preservation and historical programs fund be used for the purpose of preserving historical resources that are irreplaceable and fulfilling the intent of the state directive to use the funds to preserve our historical assets.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 16835, Section 1, and K.C.C. 4.08.199 are each hereby amended to read as follows:

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. The moneys shall be used only by the King County historic preservation program or its successor to promote historical preservation

or historical programs as allowed under RCW 36.22.170. The fund shall be a first tier fund as described in this

chapter.