



## Legislation Text

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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
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
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
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

	<u>Revolving Fund</u>	
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.