



Legislation Text

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Clerk 06/25/2019

AN ORDINANCE relating to the transfer of funds to the cultural development authority; and amending Ordinance 14482, Section 18, as amended, and K.C.C 2.49.170.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 14482, Section 18, as amended, and K.C.C 2.49.170 are each hereby amended to read as follows:

A. King County shall transfer future fund balances as follows:

1. Unless otherwise agreed to by King County and the cultural development authority, the ((H))h otel-motel tax revenues designated by the state of Washington for cultural purposes in King County shall be transferred to the authority within ten business days of receipt by King County from the state of Washington and appropriated by the county council. Twice each year while cultural bonds or any other debt obligations of the cultural development authority to the county remain outstanding, the authority shall transfer back to King County sufficient hotel-motel tax revenues to allow the county to make required payments on the bonds or any other debt obligations of the cultural development authority to the county;

2. Current expense amounts appropriated to the arts and cultural development fund, which shall be transferred to the authority not later than January 10 of the year for which those amounts have been appropriated.

3. Public art revenues, which shall be transferred to the authority not later than February 1 of the year for which those revenues have been appropriated;

4. Except for funds listed in subsection A.1. of this section, state and federal funds for cultural purposes, which shall be transferred to the authority within ten business days of receipt by King County of the funds from the federal or state governments; and

5. All other funds and fees appropriated to the arts and cultural development fund and for cultural purposes, which funds and fees shall be transferred to the authority within ten business days of receipt by King County.

B.1. Except as otherwise provided in Ordinance 18684, Section 19, beginning in 2020, at least one hundred-twenty-five days before the end of each fiscal year, the cultural development authority shall transmit its budget for the following fiscal year to the county executive. At least ninety-five days before the end of each fiscal year, the county executive shall transmit the cultural development authority budget to the clerk of council in both electronic and hard copy form. The clerk shall distribute the cultural development authority budget to all councilmembers and the lead of the budget and fiscal management committee or its successor committee. Beginning in 2020, the cultural development authority shall transmit its budget for the following fiscal year together with the other financial information required in subsection B.2. of this section to the county executive after it has been approved by the cultural development authority board. The cultural development authority budget shall identify the budgeted operating and capital expenditures and full-time equivalent positions for the following fiscal year.

2. The cultural development authority shall also transmit supporting data, including, but not limited to, a statement of assets and liabilities, a description of significant changes in the budget for the following fiscal year compared to the current fiscal year budget and a financial plan that includes actual expenditures, revenues and reserves for the preceding fiscal year and estimates of all expenditures, revenues and reserves for the current fiscal year and the following five years. For exemplary purposes only, the financial plan transmitted with the cultural development authority budget for fiscal year 2021 shall consist of the cultural development authority's actual expenditures, revenues and reserves for 2019, estimates of all the cultural development

authority's expenditures, revenues and reserves for 2020 and years 2021 through 2025.

3. Unless the council passes a motion rejecting the cultural development authority budget at least thirty days before the end of the current fiscal year, in the following fiscal year, the county shall transfer to the authority balances in any of the funds referenced in subsection A.1. through A.5. of this section.

4. If the council passes a motion rejecting the cultural development authority budget for the following fiscal year at least thirty days before the end of the current fiscal year, then, in the following fiscal year, the county shall not transfer to the authority any balances in any of the funds referenced in subsection A.1. through A.5. of this section except as otherwise provided in subsection B.6. of this section.

5. If the council passes a motion rejecting the cultural development authority budget, the council shall specify the reason or reasons for the rejection in the body of the motion.

6. If the council passes a motion rejecting the cultural development authority budget or if the council passes a motion rejecting a revised cultural development authority budget under this subsection, then representatives of the cultural development authority and representatives of the council shall meet to discuss revisions to the cultural development authority budget within fifteen calendar days of the passage of the motion rejecting the cultural development authority budget or revised cultural development authority budget. The representatives of the cultural development authority shall include, but not be limited to the cultural development authority board chair, the ex officio member designated by the executive and the authority's executive director. The representative of the council shall include, but not be limited to the council chair, the chair of the budget and fiscal management committee or its successor committee or the chair of the committee of the whole or its successor committee, or all three. For the purposes of complying with the fifteen-calendar-day requirement, a councilmember may select a designee and shall notify the cultural development authority of the councilmember's delegation. Within fifteen calendar days of the meeting, the cultural development authority board shall consider and adopt a revised budget and transmit the revised budget to the council clerk in the form of a paper and an electronic paper copy. The council clerk shall retain the paper copy and forward an

electronic copy to all councilmembers. Unless the council passes a motion rejecting a revised budget within fifteen days of the board's transmittal of the revised budget, the county shall transfer to the authority balances in any of the funds referenced in subsection A.1. through A.5. of this section.

C. The county shall not transfer funds and fees designated or appropriated to the King County landmarks commission for land use regulation and archaeological management purposes.