



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13 each hereby repealed.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 |

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| 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 |

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| 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 |

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| 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 |

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| 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 |

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| 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.

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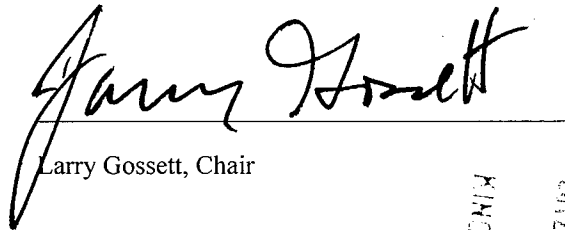
Ordinance 17461 was introduced on 10/1/2012 and passed by the Metropolitan King County Council on 11/5/2012, by the following vote:

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

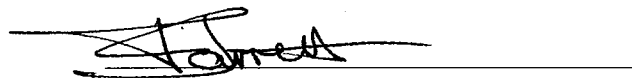

Larry Gossett, Chair

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