



KING COUNTY
Signature Report

ATTACHMENT 1
1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Ordinance

Proposed No. 2023-0343.1

Sponsors Kohl-Welles and Balducci

1 AN ORDINANCE creating the King County Doors Open
2 program to support cultural organizations, imposing a one-
3 tenth of one percent sales and use tax to finance the King
4 County Doors Open program; and repealing Ordinance
5 18513, Section 2, Ordinance 18513, Section 3, and
6 Ordinance 18513, Section 4.

7 STATEMENT OF FACTS:

- 8 1. The Washington state Legislature declared in RCW 36.160.010 that
9 there is a need to provide public and educational benefits and economic
10 support for arts, science, and heritage organizations.
- 11 2. The King County council, through Motion 14082 and Motion 14299,
12 unanimously endorsed the need to provide public and educational benefits
13 and economic support for arts, science, and heritage organizations.
- 14 3. King County residents would greatly benefit from improved public
15 access to programs produced by nonprofit arts, science, and heritage
16 organizations that would be enabled by an increase in public funding for
17 those organizations.
- 18 4. Providing increased financial support for arts, science, and heritage
19 organizations in King County is in the public interest and will serve
20 multiple public purposes such as:

21 a. Enhancing and extending the educational reach and offerings of arts,
22 science, and heritage organizations will provide all King County residents
23 with meaningful opportunities to explore personal creativity, learn about
24 local history, and understand the natural environment, leading to greater
25 civic engagement;

26 b. Ensuring K-12 public school students in all nineteen King County
27 school districts will benefit from greater access to arts, science, and
28 heritage organizations, both through in-depth programs in their own
29 classrooms and opportunities for visits to cultural attractions, will lead to
30 better engagement in the classroom and higher graduation rates; and

31 c. Ensuring continued and expanded access to the facilities and programs
32 of arts, science, and heritage organizations by economically and
33 geographically underserved populations will benefit all the residents of
34 King County, leading to healthier and more inclusive communities.

35 5. Cultural access funding would ensure that arts, science, and heritage
36 organizations are financially healthy and able to continue to provide public
37 benefits.

38 6. A cultural access program as defined in this ordinance would help to
39 achieve these public purposes and benefits by supporting hundreds of arts,
40 science, and heritage organizations providing activities and operating
41 facilities open to the general public throughout King County and by
42 creating new opportunities for students and adults, as well as economically
43 and geographically underserved populations.

44 7. In 2002, the county created a cultural development authority to support,
45 advocate for, and preserve the cultural resources of the region in a manner
46 that fosters excellence, vitality, and diversity.

47 8. The cultural development authority, also known as 4Culture, is governed by
48 K.C.C. chapter 2.49 as well as a charter and bylaws approved by the King County
49 council.

50 9. 4Culture’s responsibilities include advising the executive and council on
51 cultural resources policies and issues, administering cultural programs funded by
52 the hotel/motel tax, and establishing and implementing policy guidelines for the
53 selection, award, and administration of grant contracts.

54 10. 4Culture provides the executive and council with an annual report
55 summarizing its significant accomplishments, expenditures, cultural programs,
56 public art projects, and other projects and activities.

57 11. In 2016, 4Culture convened a series of community study group
58 meetings including organizations of all sizes, disciplines, and geographic
59 locations, as well as individuals representing numerous points of view, to
60 inform development of the principles for implementation and operation of
61 a cultural access program.

62 12. A central theme from the community input was that equity, inclusion,
63 and access should be guiding principles of a cultural access program.

64 Recommendations from the community to advance these principles
65 include:

66 a. Past and existing inequities in access to arts, science, and heritage

67 organizations should be deliberately and intentionally addressed by
68 providing higher levels of funding for cultural organizations based in,
69 representative of, and serving audiences of communities that experience
70 barriers to access;

71 b. Organizations supported by a cultural access program should be a
72 vital part of the day-to-day life in their communities;

73 c. Field trips and cultural education should be augmented by programs
74 provided by arts, science, and heritage organizations in classrooms and in
75 other community venues to expand the reach of participation;

76 d. Organizations receiving support from a cultural access program
77 should reflect the demographics of the communities they serve in their
78 staffs, boards, memberships, audiences, and programs; and

79 e. A cultural access program should be administered with transparency
80 and accountability to the public.

81 13. In 2017, the King County council adopted Ordinance 18513 creating a
82 cultural access program called Access for All and placing a proposition on
83 the August 2017 ballot seeking what was then required voter approval for
84 imposition of a one-tenth of one percent sales and use tax to support the
85 program.

86 14. The August 2017 proposition was narrowly rejected by voters.

87 15. The Access for All program created by Ordinance 18513 was not
88 implemented or funded.

89 16. In 2020, 4Culture conducted a cultural health study to better

90 understand and respond to the cultural needs of a changing King County.

91 It held listening sessions in 37 cities and 3 unincorporated areas,

92 generating cultural profiles for cities and unincorporated areas which

93 identified cultural resources, demographics, pressing cultural challenges,

94 and cultural growth opportunities.

95 17. Also in 2020, 4Culture developed the King County Cultural Plan to

96 guide cultural development in King County in response to Ordinance

97 18788. It was informed by 41 community listening sessions throughout the

98 county and 10 focus group meetings, along with input from a 27-member

99 4Culture task force representing arts, heritage, public art, and historic

100 preservation communities.

101 18. Also in 2020, the Washington state Legislature amended chapter

102 36.160 RCW and certain programmatic and reporting requirements for the

103 cultural access programs funded with a state sales and use tax. The

104 amendments included changes to public school cultural access program

105 requirements and procedures related to funding eligibility and

106 consideration for community preservation and development authorities.

107 19. In 2023, the Washington state Legislature amended RCW 82.14.525

108 to authorize the legislative authority of a county to impose a one-tenth of

109 one percent sales and use tax for a cultural access program without voter

110 approval.

111 20. Doors Open funding for arts, science, and heritage organizations

112 would expand organizational operations, offer discounted and free

113 admission, support public school cultural access programs, and build and
114 expand facilities in communities for cultural activities.

115 21. Doors Open funding would advance equitable access to arts, science,
116 and heritage organizations throughout King County and would remove
117 barriers to access faced by many segments of the county population.

118 22. Doors Open funding would foster the creation and development of
119 new cultural organizations throughout King County, reduce geographic
120 barriers and ensure that all residents have improved access to arts, science,
121 and heritage resources.

122 23. Doors Open funding would support the growth and development of
123 arts, science, and heritage centers throughout King County to promote
124 healthy and vibrant communities.

125 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

126 SECTION 1. Repeal. The following are hereby repealed:

127 A. Ordinance 18513, Section 2;

128 B. Ordinance, 18513, Section 3; and

129 C. Ordinance 18513, Section 4.

130 SECTION 2. Findings: The council finds and declares that awarding program
131 moneys to arts, science, and heritage organizations as provided in this ordinance is a
132 public purpose within the meaning of Article VII, Section 1 of the Washington State
133 Constitution because such an expenditure of public moneys will confer a benefit of a
134 reasonably general character to a significant part of the public and primarily serves the
135 public interest.

136 **SECTION 3. Definitions.** The definitions in this section apply throughout this
137 ordinance unless the context clearly requires otherwise.

138 A. "Administrative costs" means all overhead, administrative, evaluation, and
139 maintenance expenses of the county and 4Culture related to the Doors Open program.

140 B. "Cultural center" means a geographic area in which cultural organizations and
141 facilities are concentrated, and are providing cultural activities that draw attendance and
142 participation from surrounding communities and beyond.

143 C. "Cultural organization" means a nonprofit corporation incorporated under the
144 laws of the state of Washington and recognized by the Internal Revenue Service as
145 described in section 501(c)(3) of the Internal Revenue Code of 1986, as amended, with its
146 principal location or locations and conducting a majority of its activities within the
147 county, not including: any agency of the state or any of its political subdivisions; any
148 municipal corporation; any organization that raises moneys for redistribution to multiple
149 cultural organizations; or any radio or television broadcasting network or station, cable
150 communications system, Internet-based communications venture or service, newspaper,
151 or magazine. The primary purpose of the organization must be the advancement and
152 preservation of science or technology, the visual or performing arts, zoology, botany,
153 anthropology, heritage, or natural history. The organization must directly provide
154 programming or experiences available to the general public. Any organization with the
155 primary purpose of advancing and preserving zoology such as a zoo or an aquarium, must
156 be or support a facility that is accredited by the Association of Zoos and Aquariums or its
157 functional successor.

158 D. "Doors Open" means the program created by this ordinance for the purposes

159 of: enhancing and extending the reach and offerings of cultural organizations; ensuring
160 continued and expanded access to the facilities and programs of cultural organizations by
161 underserved populations; and providing financial support for cultural organizations to
162 continue and extend the numerous public benefits they provide.

163 E. "Doors Open fund" means the county fund used exclusively for the purposes
164 established by this ordinance.

165 F. "Equity inclusion public benefits" means the equity inclusion public benefits
166 defined in section 5.A.2. of this ordinance.

167 G. "Established cultural centers" means a city containing at least two cultural
168 organizations that have annual ongoing operating revenues over ten million dollars each
169 and are within a mile of each other.

170 H. "Fiscal sponsor" means a cultural organization that receives proceeds and
171 contracts with a sponsored cultural entity in accordance with the terms and conditions of
172 this ordinance and program guidelines.

173 I. "4Culture" means the Cultural Development Authority of King County, a
174 public corporation, established by the county under K.C.C. chapter 2.49.

175 J. "General public benefits" means the general public benefits defined in section
176 5.A.1. of this ordinance.

177 K. "Geographic inclusion public benefit" means the public benefit defined in
178 section 5.A.3. of this ordinance.

179 L. "Heritage" means the advancement and preservation of anthropology, heritage,
180 or natural history and includes historic preservation.

181 M. "Historic preservation" means the preservation of culturally significant spaces

182 and properties.

183 N. "Launch funding" means one-time funding to create new cultural facilities or
184 start new programs for organizations that have historically faced barriers to purchasing
185 and stewarding cultural space.

186 O. "Non-tax-exempt cultural entity" means an organization that would qualify as
187 a cultural organization but for the fact that it is not recognized by the Internal Revenue
188 Service as described in section 501(c)(3) of the Internal Revenue Code of 1986, as
189 amended.

190 P. "Proceeds" means the revenue raised by the additional sales and use tax
191 authorized by this ordinance and any interest thereon.

192 Q. "Program" or "the program" means the Doors Open program.

193 R. "Public benefits" means those discernable public benefits, comprised of
194 general public benefits, equity inclusion public benefits, and geographic inclusion public
195 benefits, identified in section 5 of this ordinance.

196 S. "Science" includes technology and science, including botany and zoology.

197 T. "Sponsored cultural entity" means a non-tax-exempt cultural entity that
198 contracts with a fiscal sponsor for a specific cultural project that provides a public benefit
199 in accordance with the terms and conditions of this ordinance and program guidelines.

200 U. "Start-up funding" means administrative costs, including, but not limited to,
201 legal costs and overhead costs, incurred by the county or the designated public agency
202 advanced to the program after the effective date of this ordinance and before tax
203 collections begin with the expectation that the funding will be repaid.

204 **SECTION 4. Doors Open program.**

205 A. The county hereby creates the Doors Open program. Doors Open shall
206 contain the following elements:

207 1. Annually providing proceeds for cultural organizations that provide public
208 benefits as required in section 5 of this ordinance and satisfy the requirements in chapter
209 36.160 RCW. Doors Open will provide funding for:

210 a. the public school cultural access program, designed to increase public school
211 student access to cultural educational experiences by extending the offerings of cultural
212 entities through programs provided at schools and at the facilities and venues of the
213 cultural entities, including the provision of transportation to facilities and venues. The
214 public school access program shall provide:

215 (1) every school in the county a list of appropriate on-site cultural
216 experiences and a list of appropriate off-site cultural experiences for each grade level,
217 every year. The list of off-site cultural experiences shall include information notifying
218 schools of available transportation funding. The activities and programming need not be
219 located or provided within the county; and

220 (2) moneys for transportation to off-site cultural experiences for all
221 students at all schools in the county that are located within a school district in which at
222 least forty percent of the district's students are eligible for a federal free and reduced-
223 price school meals program;

224 b. new or emerging cultural organizations with a focus on ensuring that all
225 geographic areas of the county and all communities in the county have access to cultural
226 experiences;

227 c. countywide initiatives and projects including public programs, supports for

228 cultural practitioners and organizations, limited-time events, and funding for unmet
229 community needs;

230 d. building for Equity grants to help cultural organizations acquire, build, and
231 renovate buildings, to purchase equipment, and to help provide launch funding for new
232 cultural organizations, and support organizational capacity building;

233 e. reimbursing cultural organizations for actual and reasonable expenses
234 incurred in providing public access to cultural experiences; and

235 f. programmatic support to meet the ongoing needs of cultural organizations,
236 including but not limited to assistance with rent, utilities, payroll, and other basic annual
237 expenses.

238 2.a. Funding for capital and one-time operating support in 2024. 4Culture and
239 King County will jointly implement, as provided in this ordinance, a cultural program
240 that will invite cultural organizations to participate in a competitive application process
241 for capital projects and one-time operating support. Awards shall support cultural
242 facilities grants and organizational capacity building grants.

243 b. 4Culture and the county shall engage in outreach and technical support for
244 potential applicants, beginning in August 2024, with the intent of receiving proposals
245 from organizations of every budget size, location, and discipline;

246 c. To ensure review pools of similar-sized capital proposals for arts, science,
247 and heritage projects, applicants shall compete for funding in three categories based on
248 aggregate project budget size:

249 (1) projects with budgets over ten million dollars;

250 (2) projects with budgets between one and ten million dollars; and

251 (3) projects with budgets less than one million dollars.

252 d. To ensure review pools of similar proposals for arts, science, and heritage

253 operating support, applicants shall compete for funding in four disciplines:

254 (1) heritage, excluding historic preservation;

255 (2) historic preservation;

256 (3) arts; and

257 (4) science.

258 e. 4Culture shall convene resident peer review panels to review applications

259 and make recommendations to the 4Culture board of which projects to support and at

260 what levels. There shall be seven separate resident peer review panels with up to five

261 members in each panel. The council and the executive may each appoint up to one

262 member for each panel. Every written proposal shall be evaluated.

263 f. Capital proposals shall be evaluated based on the overarching criteria of

264 quality, feasibility, equity, and project impact, including how the projects will increase

265 access to cultural facilities. One-time operating proposals shall be evaluated based on the

266 overarching criteria of resilience, public benefit, equity, and artistic substance. A guiding

267 principle of the selection process shall be diversity in geography, discipline, budget size,

268 and compliance with applicable law;

269 g. The panels must complete their reviews and provide their recommendations

270 for awards and support levels to 4Culture’s advisory committees and Board. The

271 4Culture board of directors shall review and shall then finalize the award decisions at a

272 public meeting. The 4Culture director will communicate award decisions to the awardees,

273 the executive, and the council by the end of 2024; and

274 3. Funding for program dedicated to increasing cultural organizations and
275 cultural facilities in geographical areas that need additional cultural capacity with deeper
276 and bolder investments to ensure all communities in the county have access to cultural
277 experiences.

278 B.1. The county, through K.C.C. chapters 2.48 and 2.49, has authorized 4Culture
279 to develop, implement and administer cultural programs in the county. Accordingly, and
280 as authorized under RCW 36.160.070, the county elects to consolidate the administration
281 of the program with that of 4Culture to perform the functions required under RCW
282 36.160.110.

283 2. The county designates 4Culture as the designated public agency for Doors
284 Open consistent with chapter 36.160 RCW, this ordinance, and the implementation plan
285 described in section 9 of this ordinance. If the county dissolves 4Culture in accordance
286 with K.C.C. 2.49.140, the county shall become the designated public agency and shall
287 otherwise perform the duties of 4Culture under this ordinance.

288 3. 4Culture shall develop and maintain guidelines and eligibility and reporting
289 requirements consistent with chapter 36.160 RCW and this ordinance for all
290 organizations that receive proceeds. The guidelines shall ensure that the cultural
291 organizations receiving proceeds provide or continue to provide discernible public
292 benefits. Program grant agreements shall require, among other things, that no person
293 shall, on the basis of basis of sex, race, color, national origin, religious affiliation,
294 disability, sexual orientation, gender identity or expression, age, ancestry, parental status,
295 marital status, use of service or assistive animal, language, or geography, be denied the
296 benefits of, or be subjected to discrimination under any program or activity receiving

297 cultural access financial support.

298 4. 4Culture shall, on request, provide expertise and administrative assistance to
299 cultural organizations that have limited organizational capacity. The expertise and
300 administrative assistance to be provided shall include, but not be limited to, assistance in
301 applying for competitive funding and technical assistance to contracted organizations to
302 meet reporting requirements. These costs shall be part of program costs.

303 5. The 4Culture board of directors shall advise, monitor, and provide program
304 oversight for achieving the equity inclusion public benefits associated with the program.
305 No additional advisory body or council for the program is created though the board of
306 directors may create one or more committees to advise on issues relevant to the program.

307 **SECTION 5. Doors Open public benefits.**

308 A.1. All cultural organizations must provide discernible public benefits to receive
309 funding from the program. To be eligible to receive funding, cultural organizations must
310 provide:

- 311 a. one or more general public benefits; and
- 312 b. one or more equity inclusion or geographic inclusion public benefits.

313 2. For the purposes of subsection A.1. of this section, the following are the
314 program's "discernible public benefits":

315 a. general public benefits. The following public benefits are "general public
316 benefits":

317 (1) providing low-barrier opportunities for everyone in the county to take part
318 in the region's cultural life and participate in cultural programs;

319 (2) providing performances and programs throughout the county, directly in

320 and for local communities, or through partnerships between and among cultural
321 organizations, or through partnerships between or among nonprofit corporations or other
322 nonprofit entities;

323 (3) providing cultural educational programs and experiences both at an
324 organization's own facilities and in schools and other venues;

325 (4) bringing cultural organizations' facilities and programming into
326 compliance with access requirements of the Americans with Disabilities Act;

327 (5) supporting organizations that strive to engage traditional cultures and
328 crafts;

329 (6) presenting free cultural festivals;

330 (7) providing free events, programing, and educational materials that enhance
331 a cultural experience either before or after, or both, attending an exhibit, performance, or
332 event;

333 (8) providing arts, science, and heritage career building opportunities for
334 youth through internships and apprenticeships or other means;

335 (9) establishing partnerships between cultural organizations or other cultural
336 institutions to present new multidisciplinary cultural experiences;

337 (10) implementing organizational capacity-building projects or activities that
338 a cultural organization can demonstrate will enhance the ability of the organization to
339 execute community outreach, communications, and marketing strategies to attract and
340 engage county residents with opportunities for access to cultural experiences and with
341 emphasis on underserved communities; and

342 (11) implementing organizational capacity-building projects or activities that

343 a cultural organization can demonstrate will enhance the ability of the organization to
344 provide or continue to provide meaningful public benefits not otherwise achievable.

345 b. equity inclusion public benefits. The following public benefits are "equity
346 inclusion public benefits":

347 (1) providing free or low-cost attendance to arts, science, and heritage
348 organizations and facilities for county residents who have economic, geographic, and
349 other barriers to access;

350 (2) providing free access to curriculum-related arts, science, and heritage
351 programs for public school students throughout the county at school and at cultural sites
352 with emphasis on underserved students;

353 (3) increasing the diversity of staff and governing boards of cultural
354 organizations to increase opportunities for access to facilities, programs, and services for
355 diverse and underserved populations and communities, broaden cultural programs, and
356 provide programming that appeals to diverse populations within the county;

357 (4) increasing investment in programs and organizations that represent and
358 reflect the diversity of the county; and

359 (5) planning and implementing cultural programs and activities, or
360 collaborating with cultural organizations in order to extend the reach and impact of
361 cultural programs.

362 c. geographic inclusion public benefits. The following public benefits are
363 "geographic inclusion public benefits":

364 (1) planning and implementing cultural programs and activities in cultural
365 centers;

366 (2) partnering with cultural organizations, through direct investment or in-
367 kind support, on priority projects and initiatives;

368 (3) providing to communities outside cities in which cultural organizations
369 are primarily located, cultural programming either directly, in partnership with cultural
370 organizations, or public schools, or through other means; and

371 (4) providing proceeds to 4Culture to distribute to cultural organizations for
372 noncapital projects or initiatives under section 8.A.4 and 8.B.2. of this ordinance.

373 B. Providing equity and geographic inclusion public benefits is intended to result
374 in meaningful progress toward achievement of the following equity inclusion outcomes:

375 1. Overcoming economic and geographic inequities that limit access to the arts,
376 science, and heritage experiences by expanding access to programs and activities at arts,
377 science, and heritage organizations in the county, such that visitors and audiences
378 represent the diversity of the county;

379 2. Partnering with local communities by developing and nurturing relationships
380 with local organizations to create programs and activities in and for the community;

381 3. Making the boards, staff, and programming of cultural organizations more
382 representative of the diversity existing within the county; and

383 4. Ensuring that Doors Open distributes a total of at least one million dollars to
384 cultural organizations in each county council district in each year.

385 **SECTION 6. Tax imposed.**

386 A. To provide necessary moneys for Doors Open program created in section 4 of
387 this ordinance, an additional one-tenth of one percent sales and use tax is hereby levied,
388 fixed, and imposed on all taxable events within the county as defined in chapter 82.08,

389 82.12, or 82.14 RCW for seven years beginning on April 1, 2024. The tax shall be
390 imposed upon and collected from those persons from whom sales tax or use tax is
391 collected in accordance with chapter 82.08 or 82.14 RCW, and shall be collected at the
392 rate of one-tenth of one percent of the selling price, in the case of a sales tax, or value of
393 the article used, in the case of a use tax. The additional sales and use tax shall be in
394 addition to all other existing sales and use taxes currently imposed by the county.

395 B. If, as a result of the imposition of the additional sales and use tax authorized in
396 subsection A. of this section, the county imposes an additional sales and use tax upon
397 sales of lodging in excess of the limits contained in RCW 82.14.410, the sales shall be
398 exempted from the imposition of that additional sales and use tax.

399 **SECTION 7. Deposit of tax proceeds.**

400 A. The proceeds of the sales and use tax imposed under section 6 of this
401 ordinance shall be deposited in the Doors Open fund and used solely for purposes
402 consistent with chapter 36.160 RCW, this ordinance, and according to the
403 implementation plan required in section 9 of this ordinance.

404 B. The county affirms that any funding similar to the funding available under this
405 ordinance that the county usually and customarily provides to cultural organizations shall
406 not be replaced or materially diminished as a result of funding becoming available under
407 this ordinance.

408 C. Proceeds of the tax imposed under section 6 of this ordinance, excepting start-
409 up funding to 4Culture and the county, may not be used or distributed until the council by
410 ordinance has approved the implementation plan required by section 9 of this ordinance.

411 **SECTION 8. Use of tax proceeds -- allocations.**

- 412 A. Tax proceeds received by the county in 2024 shall be used as follows:
- 413 1. Up to two percent for repayment of start-up funding;
- 414 2. Up to three percent for administrative costs;
- 415 3. Up to sixty-seven percent for the 2024 capital and operating support program
- 416 described in section 4.A.2 of this ordinance to provide one-time capital and operating
- 417 funding to eligible cultural organizations; and
- 418 4. The remainder after reserving the amount required in subsection A.1, 2, and 3
- 419 of this section, to Doors Open described in section 4.A.1 of this ordinance in the
- 420 percentages provided in B.2.a through f of this section.
- 421 B. The tax proceeds received by the county in years 2025 through 2030 shall be
- 422 used as follows:
- 423 1. Up to three percent for administrative costs;
- 424 2. Approximately seventy-five percent will go to Doors Open described in
- 425 section 4.A.1. of this ordinance allocated according to the following percentages:
- 426 a. approximately fifteen percent for the public school cultural access
- 427 program;
- 428 b. approximately three percent for launch funding for new or emerging
- 429 cultural organizations with a focus on ensuring that all geographic areas of the county and
- 430 all communities in the county have access to cultural experiences;
- 431 c. approximately ten percent for Building for Equity grants to help cultural
- 432 organizations acquire, build, and renovate buildings, to purchase equipment, and to help
- 433 provide launch funding for new cultural organizations, and support organizational
- 434 capacity building;

435 d. approximately fifteen percent to reimburse cultural organizations for
436 providing free public access to cultural experiences, including but not limited to reducing
437 travel-related costs to bring visitors to cultural venues or events; and

438 e. approximately seven percent to reimburse cultural organizations for
439 Countywide initiatives and projects including support for cultural practitioners, limited-
440 time events, and funding for unmet community needs; and

441 f. approximately fifty percent for programmatic support to meet the ongoing
442 needs of cultural organizations, including but not limited to assistance with rent, utilities,
443 payroll, and other basic annual expenses.

444 3. Approximately twenty-two percent will go to a program dedicated to
445 increasing cultural programming and cultural facilities, and improving the stability,
446 capacity, scale and reach of cultural organizations, in geographic areas that currently have
447 less access to cultural experiences. Funding from this program is to be expended solely to
448 cultural organizations located outside of established cultural centers.

449 a. Eligible expenditures will include both operating and capital contributions.
450 The investments from this program are intended to be deeper and/or support more
451 innovative funding strategies designed for bold transformational change. This may
452 include, but not be limited to, providing up to full funding for staff positions in
453 organizations of all sizes, funding substantial portions of capital projects, assisting with
454 debt payments, providing start-up costs, funding the planning and development of new
455 facilities and expansions of existing facilities, and fully funding the operating costs for
456 efforts to develop and grow cultural programming—such as creative districts, regional
457 cultural organizations, and joint regional marketing efforts.

458 C. Reasonable programmatic and staffing costs for each element of Doors Open
459 may be paid from the proceeds allocated in subsections A.4. and B.2.a. through f. and B.3
460 of this section. This allocation is in addition to the allocation for administrative costs in
461 this ordinance.

462 D. The program may grant proceeds to a fiscal sponsor for the purpose of
463 contracting with a cultural entity for specific activities or uses approved by the program,
464 but only if the fiscal sponsor: retains control and discretion as to the use of the proceeds;
465 maintains records establishing that the proceeds were used for purposes authorized under
466 section 501(c)(3) of the Internal Revenue Code of 1986, as amended; meets the definition
467 of cultural organization; and limits distributions to specific projects of sponsored cultural
468 entities that are in furtherance of the fiscal sponsor's own exempt purposes. The fiscal
469 sponsor may provide proceeds to a sponsored cultural entity only if the specific projects
470 of the sponsored cultural entity provide or continue to provide public benefits identified
471 in section 5 of this ordinance. The fiscal sponsor shall be fully responsible and liable for
472 the completion of the specific projects of the sponsored cultural entity provided proceeds
473 under this ordinance and the provision of public benefits by the specific projects.

474 E. As part of an implementation plan, 4Culture shall develop guidelines to be
475 approved by the King County council for eligible expenditures for each program element
476 identified in section 4 of this ordinance. The guidelines must be consistent with chapter
477 36.160 RCW and this ordinance.

478 **SECTION 9. Implementation plan.**

479 4Culture shall develop and provide to the county executive a King County Doors
480 Open program implementation plan. The county executive, in consultation with

481 4Culture, shall transmit the implementation plan and an ordinance to approve the plan to
482 the council no later than July 15, 2024. The implementation plan shall include the
483 following:

484 A. Itemization of any startup costs incurred or to be incurred by 4Culture or the
485 county;

486 B. Detailed program descriptions of the major elements of Doors Open and a
487 framework for 4Culture administration of these programs, including:

488 1. For the public school cultural access program:

489 a. an overall summary of the program;

490 b. a description of goals, priorities, and process for the delivery of:

491 (1) the list of appropriate on-site and off-site education programs as required
492 by RCW 36.160.110;

493 (2) funding for music and arts education in public schools that is in addition
494 to that provided for in the program of basic education funding; and

495 (3) funding for the public school transportation program required by RCW
496 36.160.110;

497 c. a description of the start-up timeline, communications strategy, and
498 respective roles that school districts, school teachers, cultural organizations' education
499 programs, and 4Culture will have in planning and delivery of the public school cultural
500 access program; and

501 d. a public benefit reporting framework.

502 2. For the remaining components of Doors Open:

503 a. an overall summary of the program and allocations;

- 504 b. criteria for awarding proceeds;
- 505 c. a public benefit reporting framework that includes standards for reports to be
506 provided by funded cultural organizations describing the organization's success in
507 providing public benefits;
- 508 d. descriptions of the annual application, panel, and approval process for
509 awarding grants; the program will design the process to minimize the burden it places on
510 applicant organizations and will work to improve that process continuously from year to
511 year;
- 512 e. description of contract and payment process for cultural organization grants;
513 and
- 514 f. a description of Doors Open's countywide technical assistance and
515 communications plan to promote broad participation by cultural organizations.
- 516 3. For 2024 capital and one-time operating grant program:
- 517 a. an overall summary of the program and allocation;
- 518 b. descriptions of the application, panel, and approval process for awarding
519 grants; the grant program will design the process to minimize the burden it places on
520 applicant organizations;
- 521 c. description of contract and payment process for cultural organization grants;
522 and
- 523 d. description of the program's countywide technical assistance and
524 communications plan to promote broad participation by cultural organizations.
- 525 4. For program dedicated to increasing cultural organizations and cultural
526 facilities in areas that need additional cultural capacity:

- 527 a. an overall summary of the program and allocation;
- 528 b. descriptions of the application, panel, and approval process for awarding
- 529 grants; and
- 530 c. description of a contract and payment process for cultural organization
- 531 grants;
- 532 d. description of the program's countywide technical assistance and
- 533 communications plan to promote broad participation by cultural organizations; and
- 534 C.1. A timeline for the Doors Open Assessment Report to be provided to the
- 535 executive and the council, to determine if the methods specified in the implementation
- 536 plan were utilized and if the objectives identified were met.
- 537 2. The Assessment Report will specifically address the effectiveness of:
- 538 a. Doors Open funding for cultural organizations expanded organizational
- 539 operations, offer discounted and free admission, increased public school cultural access,
- 540 and built and expanded facilities in communities for cultural activities.
- 541 b. Doors Open funding for advanced equitable access to cultural organizations
- 542 throughout King County and removed barriers to access faced by many segments of the
- 543 county population.
- 544 c. Doors Open funding fostered the creation and development of new cultural
- 545 organizations throughout King County, reduced geographic barriers and ensured that
- 546 residents have improved access to cultural organization resources.
- 547 d. Doors Open funding supported the growth and development of cultural
- 548 centers throughout King County to promote healthy and vibrant communities.
- 549 2. The Assessment Report shall be developed with input from qualified

550 evaluation personnel; staff from cultural organizations representing the breadth and depth
551 of the sector; King County cultural organizations consumers; school districts; 4Culture
552 staff and the 4Culture board of directors. The Assessment Report must also include:

553 a. an overview of evaluation personnel involved; evaluation methodology,
554 including all data gathering and sampling practices utilized; and analysis and
555 interpretation methods utilized for both qualitative and quantitative data;

556 b. fiscal data of the actual distribution of cultural access revenue, including a
557 breakdown of spending by council district, planned expenditures for the upcoming year,
558 and the comparison of actuals against planned expenditures with an explanation of
559 variance;

560 c. data and findings on the success of cultural organizations in providing
561 discernable public benefits, as defined in this ordinance, for the benefit of King County
562 residents;

563 d. data and findings for the public school cultural access program including
564 program metrics; application and award levels, including a breakdown by county council
565 district; and percentage of schools where at least 40% of students are eligible for the
566 federal free or reduced-price school meals program;

567 e. data and findings regarding awards of up to thirty percent of a cultural
568 organization's budget for those cultural organizations that either; are organized of, by,
569 and for communities and census tracts that face cultural and economic barriers to access;
570 or provide significant equity inclusion public benefits; or both;

571 f. data and findings on the sustainability and growth cultural organizations
572 outside the city which has the highest concentration of arts and cultural organizations in

573 King County, including ways for cultural organizations to participate in fostering such
574 growth through partnerships, direct contributions administered through 4Culture, and
575 contributions of in-kind support and technical expertise; and

576 g. identification of any proposed changes to the program panel process,
577 eligibility guidelines, or reporting requirements.

578 **SECTION 10. Severability.** If any provision of this ordinance or its application

579 to any person or circumstance is held invalid, the remainder of the ordinance or the
580 application of the provision to other persons or circumstances is not affected.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Dave Upthegrove, Chair

ATTEST:

Melani Pedroza, Clerk of the Council

APPROVED this ____ day of _____, _____.

Dow Constantine, County Executive

Attachments: None