



Legislation Text

File #: 2024-0359, **Version:** 1

AN ORDINANCE relating to the sustained support programs for arts and heritage, and amending Ordinance 14440, Section 7, as amended, and K.C.C. 2.48.108 and Ordinance 14440, Section 8, as amended, and K.C.C. 2.48.109.

STATEMENT OF FACTS:

1. The King County council, through Ordinance 19710, created the Doors Open Program to support arts, science, and heritage organizations, and approved a new one-tenth of one percent sales tax to fund the Doors Open Program.
2. Ordinance 19710, Section 9, requires the executive, in consultation with 4Culture, to transmit the implementation plan and an ordinance to approve the plan to the council. The implementation plan, once effective, will govern the expenditure of the sales and use tax's proceeds until the tax expires in 2031.
3. The implementation plan, which was transmitted to council through Proposed Ordinance 2024-0236, is proposing to move sustained support programs from a biennial application cycle to a triennial application cycle.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 14440, Section 7, as amended, and K.C.C. 2.48.108 are each hereby amended to read as follows:

A. There is hereby established the King County sustained support program for arts. The purpose of this program shall be to provide operating support to arts organizations and local arts agencies with a demonstrated record of providing or facilitating quality arts experiences for residents of and visitors to King County.

B. The sustained support program for arts shall be administered by the cultural development authority. The program shall consist of a ~~((biennial))~~ triennial application process. Grants shall be allocated on an annual basis for ~~((two))~~ three consecutive years. Approval of grants shall be made by the cultural development authority consistent with this chapter and the charter. Financial stability and a previous record of artistic accomplishments, and a demonstrated commitment to provide ongoing cultural programs or events for the benefit of King County residents and visitors shall be considered in the application review process. Grant recommendations shall reflect a countywide geographic distribution, and shall include organizations of all sizes and in all artistic disciplines.

C. Eligible applicants are:

1. Not-for-profit arts organizations based in King County with a minimum of three years presenting or producing arts programs for King County residents. For the purposes of this subsection, "not-for-profit arts organizations" means those legally incorporated nonprofit entities that provide as their primary mission a regular season of arts programs or services, which may include a season or annual program of performances, exhibitions, media presentations, festivals, readings or literary publications;

2. Not-for-profit arts service organizations that provide arts education and training, and professional services such as administrative support, technical assistance, or services to a variety of arts professionals or disciplines, including special populations, ethnic communities, and underserved communities;

3. Local arts agencies, which are arts councils, arts commissions, or similar entities that are nonprofit organizations or official units of municipal government based in a suburban or rural King County community specifically dedicated to providing arts services for its residents that meet the following criteria:

a. Have a minimum three-year history of providing arts services to the community in which it is based;

b. Are primarily dedicated to the provision of planning, financial support, services, programs, and development opportunities for community based arts organizations, artists, and the public during a major

portion of the year; and

c. Are involved on a regular basis activities or programs in more than one arts discipline or arts service area;

4. Organizations that do not have a tax exemption under section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. Sec. 501(c)(3)), which may apply under the sponsorship of another organization that is tax-exempt under section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. Sec. 501(c)(3)). The applying organization shall act as an independent fiscal agent for the sponsoring organization and shall assume responsibilities required by the contract.

D. Eligible applicants must have a record of artistic or cultural accomplishments and must have been in operation for at least three years.

E. The ~~((funds))~~ moneys expended for the King County sustained support program for arts shall be used to support the role of arts organizations and local arts agencies in King County, within the intent and purposes authorized by RCW 67.28.180(3)(a). ~~((Funds))~~ Moneys shall be used to support annual operating expenses, which may include staff, utilities, supplies, fees, or services relating to arts programs and services that provide public benefit and are accessible to King County residents and visitors. ~~((Funds))~~ Moneys shall not be used for capital projects or fundraising purposes.

SECTION 2. Ordinance 14440, Section 8, as amended, and K.C.C. 2.48.109 are each hereby amended to read as follows:

A. There is hereby established the King County sustained support program for heritage. The purpose of this program shall be to provide operating support to historical museums and heritage organizations that make exceptional contributions to the preservation, collection, exhibition, interpretation, or protection of resources related to the history of the people and places of King County.

B. The sustained support program for heritage shall be administered by the cultural development authority. The program shall consist of a ~~((biennial))~~ triennial application process. Grants shall be allocated on

an annual basis for ~~((two))~~ three consecutive years. Approval of grants shall be made by the cultural development authority consistent with this chapter and the charter. Grant recommendations shall reflect a countywide geographic distribution, and shall include organizations of all sizes and in all heritage disciplines. Financial stability and a previous record of accomplishments, and a demonstrated commitment to provide ongoing cultural programs or events for the benefit of King County residents and visitors shall be considered in the application review process.

C. Eligible applicants are:

1. Historical museums or heritage organizations with any combination of ongoing programs, exhibitions, presentations, or tours and must be tax-exempt under section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. Sec. 501(c)(3)); and
2. Public development authorities.

D. Eligible applicants must operate a heritage facility in King County and have a minimum of two years' experience managing collections, presenting exhibits, or providing other public services and programs with a focus on King County history and heritage.

E. The ~~((funds))~~ moneys expended for the King County sustained support program for heritage shall be used to expand the role of local heritage organizations and provide access to cultural programs in King County, within the intent and purposes authorized by RCW 67.28.180(3)(a). The purpose of these ~~((funds))~~ moneys is to offset the expenses and costs of heritage facility operations, including those for staff, utilities, supplies, fees, or services that relate to public access to, or public benefits deriving from, programs and services involving the collection, preservation, exhibition, and interpretation of King County history and heritage resources, as well as the education of the public about them. The ~~((funds))~~ moneys expended for the King County sustained support program for heritage shall not be used for any programs or services that do not: provide public access or public benefit; serve King County residents or visitors; comply with existing federal, state, or local legislation; involve heritage facilities in King County; or relate to King County history and heritage.