

April 8, 1992
92-279.MOT (SS:clt)

Introduced by: Larry Phillips

Proposed No.: 92 - 279

MOTION NO. 8599

A MOTION adopting interim guidelines for urgent need applications under the Arts Commission's hotel/motel tax Cultural Facilities Program.

WHEREAS, in December, 1991, the county council adopted Ordinance 10189, which amends King County's existing hotel/motel tax ordinance to comply with changes in state law, and

WHEREAS, Ordinance 10189 establishes a new Cultural Facilities Program to provide hotel/motel tax funds for the "purchase, design, construction and remodeling of performing arts, visual arts, heritage and cultural facilities, and for the purchase of fixed assets that will benefit art, heritage and cultural organizations", and

WHEREAS, conservative projections of growth in hotel/motel tax revenues show that nearly \$18 million will be available for the Cultural Facilities Program over the next 10 years, and

WHEREAS, under the provisions of Ordinance 10189, of the total amount projected to be available for the Cultural Facilities Program for the next ten years, 80% (or \$14 million) is earmarked for arts organizations and 20% (or \$4 million) is earmarked for heritage organizations, and

WHEREAS, Ordinance 10189 requires the county executive to propose to the council guidelines containing criteria and procedures for allocating Cultural Facilities Program funds on an annual basis, and

WHEREAS, on March 17, 1992, the King County Arts Commission approved guidelines for the Cultural Facilities Program in addition to guidelines for the other hotel/motel tax programs subject to Ordinance 10189, and

WHEREAS, the guidelines for the Cultural Facilities Program include criteria for "emergency" or "urgent need" applications outside of the annual allocation process, and

1 WHEREAS, the King County Arts Commission has completed a
2 preliminary survey of communities and arts organizations in
3 King County to identify potential facility plans, and

4 WHEREAS, the results of the survey indicate that numerous
5 communities and arts organizations outside of the Seattle
6 Center have identified facility needs, and

7 WHEREAS, the county executive is in the process of
8 reviewing the Arts Commission's recommendations prior to
9 submittal to the council for review and approval, and

10 WHEREAS, one of the organizations recommended by the Arts
11 Commission for urgent need funding faces a deadline of April 29
12 for awarding a construction contract, and

13 WHEREAS, the county council desires to address any true
14 emergency needs of King County communities and arts
15 organizations, while ensuring the equitable distribution of
16 funds to other communities and arts organizations and allowing
17 sufficient time to consider all of the Arts Commission's
18 recommendations;

19 NOW, THEREFORE BE IT MOVED by the Council of King County:

20 1. The county council hereby adopts on an interim basis
21 the attached guidelines for emergency or urgent need funding
22 under the Cultural Facilities Program.

23 2. The executive is hereby requested to submit for
24 council review and approval the proposed guidelines for the
25 hotel/motel tax programs established by Ordinance 10189, along
26 with recommendations for financing grants under the Cultural
27 Facilities Program.

1 3. The executive is further requested to propose a method
2 of allocating funds under the Cultural Facilities Program to
3 ensure the funds are equitably distributed according to need to
4 arts organizations and projects located at the Seattle Center,
5 in other Seattle locations and in other locations outside of
6 Seattle.

7 PASSED this 13th day of April, 1992

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KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Audrey Gruyer
Chair

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12 ATTEST:

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Gerald A. Peterson
Clerk of the Council

Revised 4/10/92

**INTERIM GUIDELINES FOR URGENT NEED APPLICATIONS
TO THE ARTS COMMISSION
UNDER THE HOTEL/MOTEL TAX CULTURAL FACILITIES PROGRAM**

PURPOSE

Consistent with King County Ordinance 10189, the Arts Commission's Cultural Facilities Program provides funds for the purchase, design, construction and remodeling of performing arts, visual arts, cultural facilities, and the purchase of fixed assets to benefit art and cultural organizations.

DEFINITIONS

Cultural facilities include buildings and structures which are used primarily for the performance, exhibition or benefit of arts activities, including but not limited to, performing arts, visual arts and cultural endeavors.

Fixed Assets are tangible objects such as machinery or equipment intended to be held for ten years or more.

Urgent need or bonafide emergency is defined as one or a combination of the following:

- A pressing situation that would cause an organization in the very near term to suffer severe economic consequences due to conditions outside of its control;
- A threat to the safety of patrons or staff, or
- A catastrophic event or natural disaster.

PROGRAM POLICIES

The urgent need component of the Arts Commission's Cultural Facilities Program is intended to address urgent needs and bonafide emergencies as defined above, and in addition to:

- Encouraging geographic distribution of art facilities throughout King County;
- Encouraging audience representation from both incorporated and unincorporated King County;
- Increasing the public accessibility of the performing arts, visual arts and cultural resources and services throughout King County;
- Wherever possible, maximizing the resources available for the construction of facilities and the purchase of fixed assets;
- Funding organizations that demonstrate significant community support for the facility and its programming.

ELIGIBILITY

Eligible applicants for this program include:

1. Performing arts organizations
2. Visual arts organizations
3. Cultural organizations
4. Public agencies other than schools or school districts.

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In addition, applicants must be financially stable and have at least the following:

1. Legally constituted and working board of directors
2. Record of artistic or cultural accomplishments
3. At least a two-year operating history
4. Demonstrated ability to maintain net current liabilities at less than thirty percent of general operating expenses
5. Demonstrated ability to sustain operational capacity beyond the completion of the facility or the purchase of fixed asset(s)
6. Evidence of independent financial review of the organization
7. Evidence of long-term planning for the organization, its programming or content and facility operations.

APPLICATION CONTENT

1. Applications must describe the intended use of the grant funds
2. Applications must be responsive to the project purposes stated in these guidelines
3. Facility applications should in most cases request only partial funding
4. Fixed asset(s) applications may request full funding
5. Applicants may not apply to other King County Arts Commission funding programs for the same project
6. Application or receipt of funds for urgent need or emergency projects will not preclude the applicant from applying during the regular grant process
7. Applications for design or architectural feasibility studies must submit a completed financial or marketing feasibility study or detailed statement of need for the proposed project
8. Applications for design phase support or actual construction must submit a detailed statement of need for the proposed project and all applicable studies of the proposed project
9. Applicants must submit evidence of facility ownership, or an occupancy agreement or long-term lease of at least 25 years for the design, construction or renovation of a leased facility. Organizations applying for renovation or remodeling of a leased facility to meet 504 or ADA compliance need only provide an occupancy agreement or long-term lease of at least 10 years.
10. Applications for facilities that will be used by more than one organization should indicate who the owner and primary tenant of the facility will be, and who the collaborating organization(s) are, along with clearly delineated areas of responsibility. In the case of co-applicants, King County funds will be obligated to the applicant that carries the contract for the design purchase, construction or renovation of the facility.

APPLICATION REVIEW CRITERIA

The following criteria will be used by the Arts Commission, peer panels and juries in considering facilities and fixed assets applications for funding. Recommendations by the Arts Commission are subject to approval by the King County Council.

Facilities:

- Organizations applying for funds to design, purchase, construct or renovate a facility must demonstrate quality of content and programming (or plans for such) and community*, county or regional impact
- Applicant organizations must demonstrate significant community support prior to consideration for funding. Significance may be measured by, but is not limited to, community involvement, in-kind support, financial support from other sources, number served, and the ability of the organization to use the amount requested to leverage other funds

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- Organization must demonstrate its ability to complete the design, purchase, construction or renovation of the facility with partial funding from King County; and the ability to maintain financial stability and use fully the facility upon completion
- Demonstrated need of proposed project

Fixed Assets:

- Organizations applying for fixed assets must demonstrate need and how the acquisition proposed will improve the quality of its programming or content
- If a fixed asset is to be housed in a facility which is not owned or leased by the applicant, the applicant must provide an agreement which governs the use and maintenance of the fixed asset within that facility.

* "Community" may include, but is not limited to a geographic, cultural or artistic community.

¹ "Community" may include, but is not limited to a geographic, cultural or artistic community