

December 9, 1991  
ARTS.ORD (SS:clt)

Introduced by: Lois North

Proposed No.: 91-894

ORDINANCE NO. **10189**

AN ORDINANCE redefining the uses of hotel-motel tax revenues, establishing a cultural facilities program and a hotel-motel special support program, amending Ordinance 9279, Sections 1-4, 6-10 and 12; adding new sections; and repealing Ordinance 9279, Section 13.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 9279, Section 1, is hereby amended to read as follows:

Findings. The Washington State Legislature has decided under the provisions of RCW 67.28.180(3)(a), as amended, that excess proceeds from the hotel-motel tax levied annually in King County shall only be used according to the formula set forth therein (~~only~~) for:

(1) the support of the arts, the performing arts, art museums, heritage museums and cultural museums of King County (~~(-)~~) ; and

(2) for the support of stadium capital improvements, open space acquisition, youth sports activities and tourism promotion, in a manner reflecting that order of priority.

A. King County's diverse (~~(arts and heritage)~~) cultural organizations and professional artists can enrich and support (~~(arts and)~~) cultural education and (~~(arts and)~~) cultural tourism in this region. King County is a regional and national center for (~~(arts and)~~) culture and has the seventh largest population of individual artists per capita nationwide. These (~~(arts and)~~) cultural resources can train young artists, build audiences for the future and attract local residents, children and tourists to their events and programs.

B. (~~(Arts and e)~~) Cultural education in the public schools is an integral part of support for (~~(the arts and)~~) cultur((e))al endeavors. It provides the opportunity to observe, participate and engage in the (~~(arts and)~~) cultural process with professional artists and community (~~(arts and)~~)

1 cultural organizations, as a part of the educational process in  
2 and out of the classroom.

3 C. ~~((While the state of Washington, through the Basic  
4 Education Act, is responsible for funding arts and cultural  
5 education as part of basic education, King County and its  
6 citizens have a compelling and continuing interest in the  
7 education of young people, including education in the public  
8 schools in the arts and culture, and may choose to enhance  
9 basic education through grants and other means as deemed  
10 necessary to implement the enhancement.))~~

11 ((D)). Involving children in creating works of art and  
12 providing the opportunities for children to work with arts  
13 teachers, artists, and performing arts organizations, both in  
14 the classroom and in the community, is necessary as part of a  
15 comprehensive ((arts and)) cultural education program.

16 Cultural ((E)) education ((in arts and culture)) can increase  
17 students' awareness, knowledge, and acceptance of ((arts and))  
18 culture; can improve understanding between artists, teachers  
19 and administrators; and can encourage cooperation among arts,  
20 heritage, and educational institutions and organizations.

21 D. The transmission of historical and cultural values and  
22 traditions from one generation to the next is essential to the  
23 well-being and sense of identity of communities, ethnic and  
24 cultural groups, and of all citizens of King County. Historic  
25 sites and attractions are among the most visited types of  
26 tourist attractions in the state and county. The loss or  
27 destruction of historic buildings, sites, objects, structures  
28 and districts and of historic and prehistoric materials and  
29 artifacts constitutes an irreplaceable loss to the quality of  
30 life and character of King County.

31 E. King County's responsibility is to ensure support for  
32 development of cultural activities in all parts of the county,  
33 including urban, suburban, rural and both incorporated and  
34 unincorporated areas, and to assist communities in that

1 process, where necessary. In addition, support for regional  
2 centers of activity shall be included.

3 F. King County recognizes that support for major  
4 regional, midsized, emerging and community-based cultural  
5 organizations should be distributed among them to promote a  
6 broad range of creative and cultural expression.

7 G. King County recognizes that support for efforts by  
8 individual artists and heritage specialists is conducive to the  
9 creative output and historic preservation activities of this  
10 region.

11 H. King County recognizes that, in making funding  
12 decisions, it will consider to the extent appropriate, the  
13 grantee's inclusion of the interests of culturally diverse,  
14 disabled and low income participants and audiences.

15 I. King County recognizes that a healthy and well-  
16 balanced future citizenry is dependent upon the promotion of  
17 cultural education of today's youth.

18 J. King County recognizes the role of arts, culture  
19 and heritage in augmenting tourism and building King County as  
20 a nationally and internationally recognized cultural center and  
21 as a destination for visitors to this county.

22 K. King County recognizes that traditional culture,  
23 heritage resources, archaeological sites and landmarks  
24 constitute nonrenewable resources that must be protected in the  
25 face of fast-paced development and growth.

26 L. King County recognizes the need to preserve  
27 indigenous cultures.

28 M. King County recognizes that publicly-owned art  
29 fills a need for artistic and cultural expression and visual  
30 improvement in communities and supports the efforts to meet  
31 that need.

32 SECTION 2. Definitions. Ordinance 9279, Section 2, is  
33 hereby amended to read as follows:

34 A. "~~((Arts and e))~~ Culture" is defined as the arts and  
35 ~~((cultural))~~ heritage disciplines, which include but are not

1 limited to dance, drama/theater, music, visual arts, literary  
 2 arts, media arts, performing arts, traditional and folk arts,  
 3 ethnic arts, and history, heritage and historic preservation.

4 B. "~~((Arts and e))~~ Cultural education" is defined as the  
 5 sequential and comprehensive study of the elements of the  
 6 various arts and ~~((cultural))~~ heritage forms and how to use  
 7 them creatively including instruction in skills, critical  
 8 assessment, the history of the arts and ~~((cultural))~~ heritage  
 9 forms, and aesthetic judgment.

10 C. "~~((Arts and e))~~ Cultural ~~((tourism and enrichment))~~  
 11 enhancement" is defined as arts and ~~((cultural))~~ heritage  
 12 institutions, individuals and programs working together with  
 13 the tourism industry to enhance the county's international  
 14 reputation by promoting its cultural ~~((and artistic))~~  
 15 attractions and broadening the audiences served. ~~((Arts and~~  
 16 ~~e))~~ Cultural ~~((tourism and enrichment))~~ enhancement preserves  
 17 the county's ~~((artistic and))~~ cultural identity, strengthens  
 18 the local economy and improves the quality of life for county  
 19 residents.

20 D. "Cultural facilities" shall include buildings and  
 21 structures which are used primarily for the performance,  
 22 exhibition or benefit of arts and heritage activities,  
 23 including but not limited to performing arts, visual arts,  
 24 heritage and cultural endeavors.

25 E. "Fixed assets" are defined as tangible objects such as  
 26 machinery or equipment intended to be held for ten years or  
 27 more which will benefit cultural institutions.

28 SECTION 3. Ordinance 9279, Section 3, is hereby amended  
 29 to read as follows:

30 There is hereby created the King County ~~((Arts and))~~  
 31 Cultural Education Program Fund.

32 A. The King County ~~((Arts and))~~ Cultural Education Program  
 33 Fund shall be a special revenue fund.

34 B. For investment purposes, the King County ~~((Arts and))~~  
 35 Cultural Education Program Fund shall be considered a second

1 tier fund with the finance section of the office of financial  
2 management and designated as fund manager.

3 C. Beginning January 1, 1991 and ending December 31, 1991,  
4 forty percent of all excess hotel-motel tax revenues collected  
5 by King County under the provisions of RCW 67.28.180(3)(a) in  
6 any calendar year shall be deposited in the King County ((Arts  
7 and)) Cultural Education Program Fund.

8 D. Monies expended from the King County ((Arts and))  
9 Cultural Education Program Fund shall be used only for ((the  
10 King County Arts and Cultural Education Program and shall be  
11 subject to the conditions as defined in this ordinance))  
12 Cultural Education Program projects recommended by the county  
13 executive and approved by the county council prior to December  
14 31, 1991. Any monies remaining after completion of these  
15 projects shall be transferred to the Cultural Education Program  
16 in the King County Education and Cultural Development Fund.

17 ((E. First distribution of funds shall be no later than  
18 the 1991-1992 school year. Subsequent distributions shall  
19 occur annually for each school year, thereafter.))

20 SECTION 4. Ordinance 9279, Section 4, is hereby amended  
21 to read as follows:

22 The King County council hereby establishes the King County  
23 ((Arts and)) Cultural Education Program. Forty percent of the  
24 excess hotel-motel tax revenues allocated to the King County  
25 Education and Cultural Development Fund remaining subsequent to  
26 the allocation of the King County Cultural Facilities Program  
27 pursuant to Section 8 shall be expended for the King County  
28 Cultural Education Program, provided that at least twenty  
29 percent of the King County Cultural Education Program revenue  
30 allocation shall be earmarked for heritage programs and  
31 administered by the King County landmarks commission. The  
32 program shall consist of one- to three-year grants ((for King  
33 County public school and/or public school district initiated  
34 projects and programs)) developed by cultural organizations for  
35 the purpose of enriching existing and creating new cultural

1 education programs, reviewed annually, and shall be subject to  
2 the following:

3 A. Applicants eligible to apply for the King County ((Arts  
4 and)) Cultural Education Program grants are all ((King County  
5 ~~public schools and/or public school districts in King County~~))  
6 cultural organizations that meet the ((~~applicable deadlines~~))  
7 criteria contained in this ordinance and any applicable  
8 guidelines approved by the council for the King County ((Arts  
9 and)) Cultural Education Program. School districts and schools  
10 shall not receive revenues distributed pursuant to this  
11 section.

12 B. ((~~Local control of King County's public schools shall~~  
13 ~~be preserved.~~))

14 ((E.)) Monies granted to the individual ((King County  
15 ~~public schools and/or public school districts~~)) cultural  
16 organizations shall be used to enrich existing ((~~arts and~~))  
17 cultural education programs or to create new ones and in any  
18 event shall be expended only for direct costs for ((~~arts and~~))  
19 cultural education as defined in this ordinance, which may  
20 include fees for artists, ((~~arts~~)) cultural specialists,  
21 experts in ((~~arts~~)) cultural education, and performing arts  
22 organizations. Any application for monies to enrich existing  
23 or to create new arts, cultural or heritage programs shall be  
24 developed by the applicant(s) in joint cooperation with a King  
25 County public school or school district.

26 ((D)) C. Organizations proposing projects for ((A)) all  
27 grades shall be eligible for funding through grants under this  
28 ordinance. However, while funds are minimal, projects proposed  
29 for grades K-8, or grades K-9 in schools where grade 9 remains  
30 in the middle school configuration, shall receive priority for  
31 funding.

32 ((E)) D. The cost of administering the King County ((Arts  
33 and)) Cultural Education Program shall be minimal.

1           (~~F.~~ Individual schools shall apply for the grants by  
2 February 15th in order to be awarded allocations starting July  
3 1 of the same year.))

4           ((G)) E. Applications must describe the intended use of  
5 the grant funds. The intended use must be for cultural  
6 education projects serving King County schools- and/or public  
7 school districts(~~(-initiated projects and programs for arts and~~  
8 ~~cultural education as defined in this ordinance)~~). Grant  
9 applications may address the needs of special student  
10 populations, such as at-risk students and students with  
11 handicaps or disabilities, and other youth of school age who  
12 are not currently in school, such as youth in detention and  
13 those who have dropped out of school.

14           ((H)) F. There shall be written guidelines and procedures  
15 for applying for grants which shall include eligibility  
16 criteria, scope of program, and funding needs. The guidelines  
17 shall be written by the (~~(Arts and)~~) cultural education  
18 advisory committee and recommended by the arts commission and  
19 the landmarks commission and shall be subject to council  
20 approval. The advisory committee shall establish procedures  
21 for evaluation of programs and accountability of funds. These  
22 procedures shall be submitted by the arts commission and the  
23 landmarks commission to the council for approval.

24           ((I)) G. Grant awards shall reflect a county-wide  
25 geographic distribution, and shall include projects serving  
26 public schools and public school districts from various  
27 affluent and less affluent communities.

28           ((J)) H. Grant decisions are made on a competitive basis  
29 and in accordance with criteria established pursuant to  
30 paragraph ((H)) F. above. Established criteria shall include  
31 commitment and ability to provide student learning in (~~(arts~~  
32 ~~and)~~) cultur(~~(e))~~al endeavors. Grants made under the King  
33 County (~~(Arts and)~~) Cultural Education Program shall recognize  
34 that Bellevue is receiving its own hotel-motel tax revenues,  
35 and therefore preference shall be given to applications serving

1 other areas of the county. Grants to organizations proposing  
 2 worthwhile projects in Bellevue public schools (~~for worthwhile~~  
 3 ~~projects~~) are not precluded. (~~King County Arts and Cultural~~  
 4 ~~Education Program grant awards shall be allocated to individual~~  
 5 ~~schools by July 1 of each year.~~)

6 SECTION 5. Ordinance 9279, Section 6, is hereby amended  
 7 to read as follows:

8 There is hereby created the King County (~~Arts and~~)  
 9 cultural education advisory committee as a subcommittee of the  
 10 King county arts commission and the King County landmarks  
 11 commission to oversee and provide direction for the King County  
 12 (~~Arts and~~) Cultural Education Program and make  
 13 recommendations through the arts commission and landmarks  
 14 commission to the King County executive and King County  
 15 council.

16 A. The (~~Arts and~~) cultural education advisory committee  
 17 membership shall reflect the ethnic and geographic diversity of  
 18 King County. The committee shall have nine members. The nine  
 19 members shall include parents, an arts administrator, public  
 20 school arts teachers, public school teachers, professional  
 21 artists and heritage professionals, representatives of  
 22 cultural, heritage and ethnic organizations, interested  
 23 community volunteers and (~~two~~) one King County arts  
 24 Commission member and one King County landmarks commission  
 25 member(~~s~~).

26 B. The members of the advisory committee shall be  
 27 nominated by the executive and confirmed by the council and  
 28 shall serve for three-year terms. Three of the initial  
 29 appointments shall be for three-year terms, three for two-year  
 30 terms and three for a one-year term to enable terms to be  
 31 staggered.

32 C. The duties and authorities of the advisory committee  
 33 shall be the following:

34 1. Develop guidelines and evaluation criteria to apply  
 35 for and award grants under this program.



- 1           2. Review and ((determine)) recommend eligibility of
- 2 all grant applications.
- 3           3. Submit budget recommendations for the program.
- 4           4. Recommend through the arts commission and landmarks
- 5 commission grant awards for approval by the King County
- 6 executive and King County council.
- 7           5. Set forth program ideas and suggestions for
- 8 ((schools)) applicants to consider.
- 9           6. Encourage a high quality of programs and a diversity
- 10 of program ideas.
- 11           7. Assure grant awards to organizations reflect
- 12 projects in a broad geographic distribution of schools and
- 13 school districts, and are accessible to children from a wide
- 14 range of socioeconomic levels, ethnic groups and special
- 15 student populations.
- 16           8. Annually report program results through the arts
- 17 commission and landmarks commission to the King County
- 18 executive and King County council.
- 19           9. Evaluate grant performance and expenditures.
- 20           10. Make suggestions through the arts commission and
- 21 landmarks commission to the King County executive and the King
- 22 County council for program improvements.

23           NEW SECTION, SECTION 6. There is hereby created the King

24 County Hotel-Motel Special Support Program.

25           A. The Hotel-Motel Special Support program shall be

26 administered by the King County office of financial management

27 under the direction of the King County executive and in

28 accordance with guidelines and policies established by the King

29 County council.

30           B. From January 1, 1992 through December 31, 2000 twenty-

31 five percent, and from January 1, 2001 through December 31,

32 2012 thirty percent, of all excess hotel-motel tax revenues

33 collected by King County under the provisions of RCW

34 67.28.180(3)(a), as amended, shall be allocated to the

35 Hotel/Motel Special Support Program and shall used for the

1 following purposes and in a manner reflecting the following  
 2 order of priority: Stadium capital improvements, acquisition of  
 3 open space lands, youth sports activities and tourism  
 4 promotion.

5 C. For the purposes of this section, "Stadium capital  
 6 improvements" include, but are not limited to, a stadium  
 7 restaurant facility operated by a private concessionaire under  
 8 a contract with the county; restroom facilities; artificial  
 9 turf system; seating facilities; parking facilities; and a  
 10 scoreboard and information system adjacent to or within a  
 11 county-owned stadium, together with equipment, utilities,  
 12 accessories and appurtenances necessary thereto.

13 D. "Tourism promotion" includes activities intended to  
 14 attract visitors for overnight stays, arts, heritage, and  
 15 cultural events, and recreational, professional, and amateur  
 16 sports events. Monies distributed for tourism promotion shall  
 17 be in addition to and may not be used to replace or supplant  
 18 any other funding by the county. Eligible applicants shall  
 19 only include nonprofit organizations formed for the express  
 20 purpose of tourism promotion in the county. Such organizations  
 21 shall use monies distributed under this section to promote  
 22 events in all parts of the county.

23 E. There shall be written guidelines and procedures for  
 24 allocating funds under this section. The guidelines shall be  
 25 written at the direction of the executive and shall be approved  
 26 by the council.

27 SECTION 7. Ordinance 9279, Section 7, is hereby amended  
 28 to read as follows:

29 There is hereby created the King County ((Arts~~7~~))  
 30 Education and Cultural Development Fund.

31 A. The King County ((Arts~~7~~)) Education and Cultural  
 32 Development Fund shall be a special revenue fund.

33 B. For investment purposes, the King County ((Arts~~7~~))  
 34 Education and Cultural Development Fund shall be considered a

1 second tier fund with the finance section of the office of  
2 financial management designated as fund manager.

3 C. Beginning January 1, 199((1))<sup>2</sup>, and through December  
4 31, 2000, ((sixty)) seventy-five percent and beginning January  
5 1, 2001 through December 31, 2012, seventy percent of all  
6 excess hotel-motel tax revenues collected by King County under  
7 the provisions of RCW 67.28.180(3)(a), as amended, in any  
8 calendar year shall be deposited in the King County ((Arts~~7~~))  
9 Education and Cultural Development Fund. The King County  
10 ((Arts~~7~~)) Education and Cultural Development Fund will fund the  
11 King County Cultural Facilities Program, the ((new)) King  
12 County ((Arts~~and~~)) Cultural Tourism and Enrichment Program,  
13 the King County Cultural Education Program and the ((new)) King  
14 County Opportunity Grant Program.

15 D. Monies expended from this fund shall be used only for  
16 the purposes established in this ordinance and shall be subject  
17 to the conditions of this ordinance. Monies distributed to art  
18 museums, cultural museums, heritage museums, the arts, and the  
19 performing arts shall be in addition to and may not be used to  
20 replace or supplant any other cultural programs funded by the  
21 county from general revenues.

22 E. At least forty percent of the revenues distributed  
23 pursuant to this section for the period January 1, 2001,  
24 through December 31, 2012, shall be deposited in an account and  
25 shall be used to establish an endowment. Principal in the  
26 account shall remain permanent and irreducible. The remaining  
27 sixty percent, along with the earnings from investments of  
28 balances in the account, may only be used for the purposes  
29 stated in this ordinance.

30 F. Recommendations for grants from the King County  
31 Education and Cultural Development Fund shall be made by the  
32 King County arts commission and the King County landmarks  
33 commission and submitted to the county executive for  
34 recommendation and to the county council for review and  
35 approval.

1           NEW SECTION, SECTION 8. There is hereby established a  
2 King County Cultural Facilities Program.

3           A. The Cultural Facilities Program shall be administered  
4 by the cultural resources division under the direction of the  
5 King County executive and in accordance with guidelines and  
6 policies established by the King County council. The program  
7 shall consist of grants responding to priorities established by  
8 the council, reviewed annually, to performing arts, visual  
9 arts, heritage and cultural organizations.

10           B. Beginning January 1, 1992 and through December 31, 2000  
11 at least seventy percent of the revenue allocated to the  
12 Education and Cultural Development Fund shall be expended on  
13 the King County Cultural Facilities Program, provided that at  
14 least twenty percent of the King County Cultural Facilities  
15 Program revenue allocation shall be earmarked for heritage  
16 programs and administered by the King County landmarks  
17 commission.

18           C. The funds allocated to the Cultural Facilities Program  
19 shall be used only for the purchase, design, construction, and  
20 remodeling of performing arts, visual arts, heritage, and  
21 cultural facilities, and for the purchase of fixed assets that  
22 will benefit art, heritage, and cultural organizations.

23           D. Funds may be spent on providing assistance for  
24 planning and improvement of cultural facilities, providing for  
25 the preservation and restoration of cultural facilities  
26 otherwise eligible for funding pursuant to this ordinance, and  
27 providing funds to cultural organizations to comply with  
28 Section 504 of the Federal Rehabilitation Act of 1973, as  
29 amended.

30           E. Funds received under this section may be used for  
31 payment of principal and interest on bonds issued for capital  
32 projects. The office of financial management will manage the  
33 program's debt to ensure continued high credit quality, access  
34 to credit markets, and financial flexibility. All of the  
35 program's debt management activities will be conducted to

1 maintain at least the current credit ratings assigned to the  
2 county's debt by the major credit rating agencies and to  
3 maintain an adequate debt service coverage ratio. Long term  
4 debt will not be used to support operating expenses. The office  
5 of financial management will develop and maintain a central  
6 system for all debt-related records which will include all  
7 official statements, bid documents, ordinances, indentures,  
8 leases, etc., for all of the program's debt and will accurately  
9 account for all interested earnings in debt-related funds.  
10 These records will be designed to ensure that the program is in  
11 compliance with all debt covenants and with state and federal  
12 laws.

13 F. Eligible applicants shall include performing arts,  
14 visual arts, heritage and cultural organizations. Eligible  
15 applicants must be financially stable and have at least the  
16 following:

- 17 1. A legally constituted and working board of  
18 directors;
- 19 2. A record of artistic, heritage, or cultural  
20 accomplishments;
- 21 3. At least a two-year operating history;
- 22 4. Demonstrated ability to maintain net current  
23 liabilities at less than thirty percent of general operating  
24 expenses;
- 25 5. Demonstrated ability to sustain operational capacity  
26 subsequent to completion of projects or purchase of machinery  
27 and equipment; and
- 28 6. Evidence of an independent financial review of the  
29 organization.

30 SECTION 9. Ordinance 9279, Section 8, is hereby amended  
31 to read as follows:

32 There is hereby established the King County ((Arts and))  
33 Cultural ((Tourism and Enrichment)) Enhancement Program. This  
34 program shall consist of competitive grants, reviewed annually,  
35 to arts and ((cultural/)) heritage organizations, individual

1 artists, community educational organizations and community arts  
 2 groups which reflect the multi-cultural, ethnic and geographic  
 3 diversity of King County. Applications must describe the  
 4 intended use of the grant funds, and applicants may request  
 5 full cost recovery. Consideration shall be given to the  
 6 potential of each project for ~~((developing tourism related to))~~  
 7 enhancing arts and ~~((cultural/))~~ historic events and features  
 8 in King County.

9 A. There shall be written guidelines and procedures for  
 10 applying for grants which shall include eligibility criteria,  
 11 scope of program, and funding needs. The guidelines shall be  
 12 written by the cultural resources division and recommended by  
 13 the executive, and shall be subject to council approval. The  
 14 cultural resources division, through the executive, shall  
 15 submit for council review an annual report which evaluates the  
 16 King County ~~((Arts and))~~ Cultural ~~((Tourism and Enrichment))~~  
 17 Enhancement Program and accounts for fund expenditures.

18 B. ~~((Two-thirds))~~ Forty percent of the excess hotel-motel  
 19 tax revenues allocated to the King County ~~((Arts,))~~ Education  
 20 and Cultural Development Fund remaining subsequent to the  
 21 allocation to the King County Cultural Facilities Program  
 22 pursuant to Section 8 shall be expended for the King County  
 23 ~~((Arts and))~~ Cultural ~~((Tourism and Enrichment))~~ Enhancement  
 24 Program, provided that at least 20% of the King County ~~((Arts~~  
 25 ~~and))~~ Cultural ~~((Tourism and Enrichment))~~ Program revenue  
 26 allocation shall be earmarked for heritage programs and  
 27 administered by the King County landmarks commission. The  
 28 landmarks commission may propose grant guidelines which reflect  
 29 commission priorities in awarding grants.

30 C. The funds expended for the King County ~~((Arts and))~~  
 31 Cultural ~~((Tourism and Enrichment))~~ Enhancement Program shall  
 32 be used to assure the financial stability and expand the role  
 33 of local ~~((arts and))~~ cultural organizations and individuals as  
 34 artistic and cultural educational resources which develop King  
 35 County as a ~~((tourism attraction))~~ through arts and

1 ((~~cultural~~)) historic events and features in King County,  
 2 within the intent and purposes authorized by RCW  
 3 67.28.180(3)(a) ~~((~~-~~))~~, as amended. The purpose of these funds  
 4 is to:

5 1. Enhance the ability of arts organizations and of  
 6 individual artists to produce and present challenging high  
 7 quality art works.

8 2. Enhance the exhibits and/or permanent collections  
 9 that are the unique features of the museums and visual arts  
 10 centers.

11 3. Assist in providing and bringing touring programs  
 12 and exhibits on the regional and national level to King County.

13 4. Improve audience development ~~((and arts and cultural  
 14 opportunities for))~~, with particular emphasis on special  
 15 populations, multi-cultural audiences and King County youth.

16 5. ~~((Provide assistance for planning and improvement of  
 17 arts and cultural facilities.~~

18 6. ~~Provide for preservation and restoration of  
 19 cultural/historical facilities.))~~

20 ((7)) Encourage and provide an exchange of services  
 21 and technical assistance between larger and smaller  
 22 organizations, individual artists and heritage professionals.

23 6. Produce special events and programs such as  
 24 festivals that will highlight the region's cultural resources.

25 ~~((8. Provide funds for arts and cultural/heritage  
 26 organizations and museums to comply with Section 504 of the  
 27 Federal Rehabilitation Act of 1973, as amended.))~~

28 D. Eligibility. Eligible applicants shall include but not  
 29 be limited to individual artists, arts and ~~((cultural/))~~  
 30 heritage organizations, community arts and cultural groups,  
 31 community educational organizations and family and youth  
 32 programs relating to ~~((arts and))~~ cultur((e))al endeavors which  
 33 reflect the multi-cultural, ethnic and geographic diversity of  
 34 King County.

1            SECTION 10. Ordinance 9279, Section 9, is hereby amended  
2 to read as follows:

3            The King County (~~(Arts and)~~) Cultural (~~(Tourism and~~  
4 ~~Enrichment)~~) Enhancement Program shall be a separate program  
5 under the direction of the cultural resources division with  
6 input from both the King County arts commission and the King  
7 County landmarks commission.

8            A. The duties and authorities of the cultural resources  
9 division shall be the following:

10            1. Develop guidelines and eligibility criteria for the  
11 King County (~~(Arts and)~~) Cultural (~~(Tourism and Enrichment)~~)  
12 Enhancement Program.

13            2. Submit project proposals to the King County arts  
14 commission or the King County landmarks commission as  
15 applicable for review and eligibility determination of all  
16 project proposals.

17            3. Submit project proposals for (~~(review)~~) approval and  
18 appropriation by the council.

19            4. Annually report program results to the King County  
20 executive and King County council.

21            5. Review, evaluate and account for expenditures of  
22 funds.

23            B. The cost of administration of the King County (~~(Arts~~  
24 ~~and)~~) Cultural (~~(Tourism and Enrichment)~~) Enhancement Program  
25 shall be minimal.

26            SECTION 11. Ordinance 9279, Section 10, is hereby amended  
27 to read as follows:

28            There is hereby established the King County Opportunity  
29 Grant Program.

30            A. The Opportunity Grant Program shall be administered by  
31 the cultural resources division under the direction of the King  
32 County executive and in accordance with the guidelines and  
33 policies established by the King County council. The  
34 Opportunity Grant Program shall consist of competitive grants,  
35 reviewed annually, for funding innovative endeavors relating to



1 ((arts,)) cultur((e))al((/heritage)) and education which are  
 2 not funded by existing programs. Projects may include  
 3 individual or collaborative efforts, but the cultural resources  
 4 division shall give special consideration to applications which  
 5 reflect collaboration between any of the ((art and culture))  
 6 cultural disciplines, educational institutions and community  
 7 ((arts and heritage)) cultural groups. Grant awards are  
 8 intended to fund smaller and diverse organizations and  
 9 activities. Applications must describe the intended use of the  
 10 grant funds.

11 B. ((One-third)) Twenty percent of the excess hotel-motel  
 12 tax revenues allocated to the King County ((Arts,)) Education  
 13 and Cultural Development Fund remaining subsequent to the  
 14 allocation to the King County Cultural Facilities Program  
 15 pursuant to Section 8 shall be expended for the King County  
 16 Opportunity Grant Program, provided that at least 20% of the  
 17 King County Opportunity Grant Program revenue allocation shall  
 18 be earmarked for heritage programs and administered by the King  
 19 County landmarks commission. The landmarks commission may  
 20 propose grant guidelines which reflect commission priorities in  
 21 awarding grants.

22 C. Eligibility. Eligible applicants shall include but not  
 23 be limited to individual artists, mid-sized and smaller ((arts  
 24 and)) cultural((/heritage)) organizations, community arts and  
 25 cultural groups, ((public educational institutions,))  
 26 community educational organizations, and family and youth  
 27 programs relating to ((arts and)) cultur((e))al endeavors which  
 28 reflect the multi-cultural, ethnic and geographic diversity of  
 29 King County.

30 D. There shall be written guidelines and procedures for  
 31 applying for grants which shall include eligibility criteria,  
 32 scope of program, and funding needs. The guidelines shall be  
 33 written by the cultural resources division and recommended by  
 34 the executive to the council for approval. The cultural  
 35 resources division, through the executive, shall submit for

1 council review an annual report which evaluates the King County  
2 Opportunity Grant Program and accounts for fund expenditures.

3 E. Opportunity grants can include but are not limited to  
4 endeavors that:

5 1. Promote the cultural diversity and arts activity of  
6 this region as well as promote its multi-cultural history and  
7 heritage.

8 2. Address the special needs of mid-sized and smaller  
9 organizations, including providing technical assistance.

10 3. Produce special events and programs such as  
11 festivals that will highlight the region's cultural resources.

12 4. (~~Provide assistance for planning and improvement of~~  
13 ~~arts and cultural facilities.~~) Improve cultural opportunities  
14 for special populations, multi-cultural audiences and King  
15 County youth.

16 (~~5. Provide for preservation and restoration of~~  
17 ~~cultural/historical facilities.~~)

18 ~~6. Provide funds for arts and cultural/heritage~~  
19 ~~organizations and museums to comply with Section 504 of the~~  
20 ~~Federal Rehabilitation Act of 1973, as amended.)~~

21 F. Applications for funds shall be made to the cultural  
22 resources division and will be reviewed and recommended by the  
23 King County arts commission and the King County landmarks  
24 commission for funding to the King County executive and King  
25 County council on an annual basis.

26 G. Annual reports will be submitted to the executive and  
27 council.

28 H. The cost of administering the King County Opportunity  
29 Grant Program shall be minimal.

30 SECTION 12. Ordinance 9279, Section 12, is hereby amended  
31 to read:

32 The King County auditor shall conduct a performance and  
33 fiscal/compliance audit of the King County Special Support  
34 Program, King County ((Arts and)) Cultural Education Program,  
35 King County Cultural Facilities Program, King County ((Arts

1 and)) Cultural ((~~Tourism and Enrichment~~) Enhancement Program,  
2 and the King County Opportunity Grant Program no later than  
3 1994, and as necessary thereafter.

4 NEW SECTION. SECTION 13. By December 31, 1992, the King  
5 County arts commission and the King County landmarks commission  
6 shall prepare a cultural plan for review and approval by the  
7 King County executive and council. The plan shall identify  
8 cultural needs in King County. Upon completion of the plan,  
9 the arts commission and the landmarks commission shall evaluate  
10 this ordinance and, if necessary, propose amendments to the  
11 executive and council.

12 SECTION 14. Ordinance 9279, Section 13, is hereby  
13 repealed.

14 SECTION 15. Severability. Should any section,  
15 subsection, paragraph, sentence, clause of phrase of this  
16 ordinance be declared unconstitutional or invalid for any  
17 reason, such decision shall not affect the validity of the  
18 remaining portions of this ordinance.

19 INTRODUCED AND READ for the first time this 25<sup>th</sup> day  
20 of November, 1991.

21 PASSED this 9<sup>th</sup> day of December, 1991.

22 KING COUNTY COUNCIL  
23 KING COUNTY, WASHINGTON

24 Lois North  
25 Chair

26 ATTEST:

27 Maude A. Peterson  
28 Clerk of the Council

29 APPROVED this 19<sup>th</sup> day of December, 1991.

30 Jim Hill  
31 King County Executive  
32