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Drafted by:	Sung Yang, King County Executive Office
Sponsors:	
Attachments:	None

1 ..Title

2 AN ORDINANCE creating the King County Access For
3 All program, imposing a one-tenth of one percent sales and
4 use tax to finance the King County Access For All program
5 conditioned on voter approval, and providing for the
6 submission to the qualified electors of King County at a
7 special election to be held in King County on August 1,
8 2017, a proposition authorizing the sales and use tax
9 imposed by this ordinance.

10 ..Body

11 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

12 **SECTION 1. Statement of facts:**

13 A. The Washington state Legislature declared in Chapter 24, Laws of
14 Washington 2015, passed by the legislature in 2015 and twice unanimously
15 endorsed through motions of the King County council, that there is a need to
16 provide public and educational benefits and economic support for arts, science
17 and heritage organizations.

18 B. King County residents would greatly benefit from improved public
19 access to programs produced by nonprofit arts, science and heritage organizations
20 that would be enabled by an increase in public funding for those organizations.

21 C. Providing increased financial support for arts, science and heritage
22 organizations in King County is in the public interest and will serve multiple
23 public purposes such as:

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

28 2. K-12 public school students in all nineteen King County school
29 districts will benefit from greater access to arts, science and heritage
30 organizations, both through in-depth programs in their own classrooms and free
31 visits to cultural attractions; and

32 3. Ensuring continued and expanded access to the facilities and
33 programs of arts, science and heritage organizations by economically and
34 geographically underserved populations will benefit all the residents of King
35 County.

36 D. Arts, science and heritage organizations would benefit from financial
37 stability that will enable them to continue and extend the numerous public
38 benefits they provide.

39 E. An Access for All program as defined in this ordinance would help to
40 achieve these public purposes and benefits by supporting hundreds of arts, science
41 and heritage organizations providing activities and operating facilities open to the
42 general public and will create new opportunities for economically and
43 geographically underserved populations.

44 F. 4Culture convened a series of community meetings in 2016 involving
45 scores of organizations, of all sizes, disciplines and geographic locations, and
46 scores of individuals to develop recommendations regarding the principles for
47 implementation and operation of an Access for All program.

48 G. A central theme from the community input is that equity, inclusion and
49 access should be guiding principles of Access for All. Recommendations from
50 the community to advance these principles include:

51 1. Past and existing inequities in access to arts, science and heritage
52 organizations should be deliberately and intentionally addressed by providing
53 higher levels of funding for community-based cultural organizations based in,
54 representative of and serving audiences of communities that experience barriers to
55 access;

56 2. The composition of boards, staff, audiences, membership and
57 programs of regional cultural organizations has not kept pace with demographic
58 changes within the county community, which threatens their long term
59 sustainability;

60 3. Organizations supported by Access for All should be a vital part of
61 the day-to-day life in their communities;

62 4. Nontraditional and social service organizations that provide cultural
63 programing in their communities should be eligible to receive project-specific
64 funding to serve their constituents, even if the primary purpose of such an
65 organization is not exclusively arts, science or heritage;

66 5. Field trips and cultural education should be augmented by programs
67 provided by arts, science and heritage organizations in classrooms and in other
68 community venues to expand the reach of participation;

69 6. Organizations receiving support from Access for All should reflect the
70 demographics of King County in their staffs, board, memberships, audiences and
71 programs; and

72 7. Access for All should be administered with transparency and
73 accountability to the public.

74 H. Access for All funding for arts, science and heritage organizations will
75 allow such organizations to expand open-to-the-public hours, offer discounted and
76 free admission, award scholarships, participate in public school access programs
77 and build and expand facilities in suburban and rural communities that do not
78 have current facilities for cultural activities.

79 I. Access for All funding would advance fair and equitable access to arts,
80 science and heritage organizations throughout King County and would remove
81 barriers to access faced by many segments of the county population.

82 J. The council finds and declares that awarding program moneys to arts,
83 science and heritage organizations as provided in this ordinance is a public
84 purpose within the meaning of Article VII, Section 1 of the Washington State
85 Constitution because such expenditure of public moneys will confer a benefit of
86 reasonably general character to a significant part of the public and primarily
87 serves the public interest.

88 **SECTION 2. Definitions.** The definitions in this section apply throughout this
89 ordinance unless the context clearly require otherwise.

90 A. "Access for All" means the program created by this ordinance for the purpose
91 of enhancing and extending the educational reach and offerings of cultural organizations;
92 ensuring continued and expanded access to the facilities and programs of cultural
93 organizations by underserved populations; and providing financial support for cultural
94 organizations to continue and extend the numerous public benefits they provide.

95 B. "Access for all fund" means the county fund that would be established and
96 used exclusively for the purposes established by this ordinance.

97 C. "Administrative costs" means all operating, administrative, and maintenance
98 expenses of the county and 4Culture related to the Access For All program.

99 D. "Community-based cultural organization" means a cultural organization that
100 can further be characterized as:

- 101 1. An organization that is not a regional cultural organization; and
- 102 2. An organization that remains in good standing as a nonprofit corporation in
103 Washington.

104 E. "Cultural organization" means a nonprofit corporation incorporated under the
105 laws of the state of Washington and recognized by the Internal Revenue Service as
106 described in section 501(c)(3) of the Internal Revenue Code of 1986, as amended, with its
107 principal location or locations and conducting a majority of its activities within the
108 county, not including: any agency of the state or any of its political subdivisions; any
109 municipal corporation; any organization that raises moneys for redistribution to multiple
110 cultural organizations; or any radio or television broadcasting network or station, cable

111 communications system, internet-based communications venture or service, newspaper,
112 or magazine. The primary purpose of the organization must be the advancement and
113 preservation of science or technology, the visual or performing arts, zoology, botany,
114 anthropology, heritage or natural history and any organization must directly provide
115 programming or experiences available to the general public. Any organization with the
116 primary purpose of advancing and preserving zoology such as a zoo or an aquarium, must
117 be or support a facility that is accredited by the Association of Zoos and Aquariums or its
118 functional successor.

119 F. "Fiscal sponsor" means a community-based cultural organization that receives
120 program moneys and contracts with a sponsored community-based cultural entity
121 pursuant to the terms and conditions of this ordinance and guidelines developed by the
122 program.

123 G. "4Culture" means the cultural development authority of the county, a public
124 corporation, established by the county under K.C.C. chapter 2.49.

125 H. "Non-tax exempt community-based cultural entity" means an organization
126 that would qualify as a community-based cultural organization but for the fact that it is
127 not recognized by the Internal Revenue Service as described in section 501(c)(3) of the
128 Internal Revenue Code of 1986, as amended.

129 I. "Program" or "the program" means the Access for All program.

130 J. "Public benefits" means those discernable public benefits identified in section
131 4 of this ordinance.

132 K. "Regional cultural organization" means a cultural organization that is also:

133 1. An organization that owns, operates or supports cultural facilities or provides
134 performances, exhibits, educational programs, experiences or entertainment, that widely
135 benefit and are broadly attended by the public;

136 2. An organization that is in good standing as a nonprofit corporation under the
137 laws of the state of Washington, and has been for at least the three years preceding the
138 year in which an allocation of program moneys is to be made to the organization;

139 3. An organization that has its principal location or locations and conducts the
140 majority of its activities within the county primarily for the benefit of county residents;

141 4. An organization that has not declared bankruptcy or suspended or
142 substantially curtailed operations for a period longer than six months during the
143 preceding two years;

144 5. An organization that, over the three years preceding the year in which an
145 allocation of program moneys is to be made to the organization, either:

146 a. has minimum average annual revenues, annually adjusted for inflation, of at
147 least three million dollars; or

148 b. has both average annual revenues, annually adjusted for inflation, of at least
149 one million two hundred fifty thousand dollars and a minimum of fifty thousand annual
150 attendees; and

151 6. An organization that is financially stable, provides substantial public benefits
152 and has the capacity to demonstrate its status by providing an annual audit of finances
153 and certification of attendance.

154 L. "Qualified nontraditional/social service and cultural agency" means a
155 nonprofit corporation incorporated under the laws of the state of Washington with its

156 principal location or locations and conducting a majority of its activities within the
157 county that, while not necessarily its primary purpose, devotes a significant portion of its
158 resources to the advancement and preservation of science or technology, the visual or
159 performing arts, zoology, botany, anthropology, heritage or natural history and directly
160 provides programming or experiences available to the general public, but not including:
161 any agency of the state or any of its political subdivisions; any municipal corporation;
162 any organization that raises moneys for redistribution to multiple cultural organizations;
163 or any radio or television broadcasting network or station, cable communications system,
164 internet-based communications venture or service, newspaper or magazine.

165 M. "Sponsored community-based cultural entity" means a non-tax exempt
166 community-based cultural entity or a qualified nontraditional/social service and cultural
167 agency that contracts with a fiscal sponsor for a specific cultural project that provides a
168 public benefit pursuant to the terms and conditions of this ordinance and guidelines
169 developed by the program.

170 N. "Start-up funding" means administrative costs, including, but not limited to,
171 legal costs, overhead costs and election costs, incurred by the county or advanced to the
172 program after the effective date of this ordinance and before tax collections begin with
173 the expectation that the funding will be repaid. Start-up funding also includes
174 administrative costs incurred by 4Culture since October 9, 2015, in developing the
175 program and working with the community on such program development.

176 **SECTION 3. Access For All program.**

177 A. The county hereby creates the Access For All program. The Access for All
178 program shall contain the following elements:

179 1. Public school access program, designed to increase public school student
180 access to cultural education opportunities by extending the offerings of cultural
181 organizations both through programs provided at schools and at the facilities and venues
182 of the cultural organizations, including the provision of transportation to facilities and
183 venues;

184 2. Regional cultural organization access program, which shall annually provide
185 moneys for operating expenses of regional cultural organizations that provide a
186 discernible public benefit and satisfy the requirements in chapter 36.160 RCW, and serve
187 a regional audience; and

188 3. Community-based cultural organization access program, which shall annually
189 provide moneys for operating, capital or project costs for community-based cultural
190 organizations that primarily serve a local community and are not eligible for moneys
191 under the regional cultural access program.

192 B.1. The county, through K.C.C. chapters 2.48 and 2.49 has authorized 4Culture
193 to develop, implement and administer cultural programs in the county. Accordingly, and
194 as authorized under RCW 36.160.070, the county elects to consolidate the administration
195 of the program with that of 4Culture to perform the functions required under RCW
196 36.160.110.

197 2. The county designates 4Culture as the designated public agency for the
198 Access for All program consistent with chapter 36.160 RCW, this ordinance and the
199 implementation plan described in section 9 of this ordinance. If the county dissolves
200 4Culture in accordance with K.C.C. 2.49.140, the county shall become the designated

201 public agency and shall otherwise perform all of the duties of 4Culture under this
202 ordinance.

203 3. 4Culture shall develop and maintain guidelines and eligibility and reporting
204 requirements for all organizations that are provided moneys through the program
205 consistent with chapter 36.160 Revised Code of Washington and this ordinance that
206 govern the administration of the program. Such guidelines shall include, without
207 limitation, guidelines to help ensure that the organizations provide or continue to provide
208 discernible public benefits. Program grant agreements shall require, among other things,
209 that no person in the county shall, on the basis of basis of race, color, religion, national
210 origin, ancestry, gender, parental status, marital status, sexual orientation, gender identity,
211 age, disability, use of service or assistive animal, language, economic status, or
212 geography, be denied the benefits of, or be subjected to discrimination under any
213 program or activity receiving Access for All financial support.

214 4. As will be more fully described in the implementation plan, 4Culture shall,
215 on request, provide administrative assistance to community-based organizations that have
216 limited organizational capacity to apply for competitive funding.

217 5. 4Culture shall report the status of the program to the county executive and
218 council annually.

219 6. The 4Culture board of directors shall serve as the Access for All program
220 advisory board.

221 7. In the event of a conflict between state law, this ordinance or the
222 implementation plan, inconsistency shall be resolved by giving precedence in the
223 following order: Washington state law, this ordinance, and the implementation plan.

224 **SECTION 4. Access For All program Public Benefits.**

225 A. Cultural organizations must provide discernible public benefits to receive
226 funding from the program. Through the Access for All program the cultural
227 organizations funded shall provide one or more of the following discernible public
228 benefits:

229 1. Equity and inclusion public benefits. The following public benefits shall be
230 referred to in this ordinance as "equity and inclusion public benefits":

231 a. providing free and low-cost attendance at arts, science and heritage
232 organizations for county residents who have economic, geographic and other barriers to
233 access;

234 b. providing free access to curriculum-related arts, science and heritage
235 programs in class and at cultural sites for all public school students throughout the county
236 with emphasis on underserved students;

237 c. increasing the diversity of staff and governing boards of cultural
238 organizations, and increasing investment in programs that represent and reflect the
239 diversity of the county;

240 d. providing reasonable opportunities for access to facilities, programs, and
241 services on a reduced or no admission fee basis, particularly for underserved populations
242 and communities; and

243 e. planning and implementing cultural programs and activities in communities
244 and census tracts that are underserved; and

245 2. Providing equity and inclusion public benefits is intended to result in
246 meaningful progress toward achievement of the following equity and inclusion outcomes
247 (“equity and inclusion outcomes”):

248 a. overcoming economic and geographic inequities that limit access to the arts,
249 science, and heritage by expanding access to programs and activities at arts, science and
250 heritage organizations in the county, such that visitors and audiences represent the
251 diversity of the county;

252 b. empowering local communities by developing and nurturing relations with
253 local organizations to create programs and activities in and for the community; and

254 c. making the boards, staff, programming, memberships and audiences of
255 regional cultural organizations more representative of the diversity existing within the
256 county; and

257 3. General public benefits. The following public benefits shall be referred to in
258 this ordinance as "general public benefits":

259 a. providing free and low-barrier opportunities for everyone in the county to
260 take part in the region's cultural life and participate in arts, science and heritage
261 programs;

262 b. providing performances and programs throughout the county that are created
263 in and for local communities through partnerships between and among regional and
264 community-based cultural organizations and with other community-based nonprofit
265 corporations or other nonprofit entities;

266 c. providing, through technological and other means, services or programs in
267 locations other than where an organization's own facilities are located;

- 268 d. providing educational programs and experiences both at an organization's
269 own facilities and in schools and other venues;
- 270 e. broadening cultural programs, performances and exhibitions for the
271 enlightenment and entertainment of the public;
- 272 f. supporting collaborative relationships with other cultural organizations in
273 order to extend the reach and impact of the collaborating organizations for the benefit of
274 the public;
- 275 g. bringing cultural organizations' programming and facilities into compliance
276 with access requirements of the Americans with Disabilities Act;
- 277 h. supporting organizations that strive to engage traditional cultures and crafts;
- 278 i. building and expanding cultural facilities in suburban and rural communities
279 consistent with the county's land use policies;
- 280 j. presenting free cultural festivals countywide;
- 281 k. providing free events, programing and educational materials that enhance a
282 cultural experience either before or after, or both, attending an exhibit, performance or
283 event;
- 284 l. providing arts, science and heritage career building opportunities for youth
285 through internships and apprenticeships;
- 286 m. establishing partnerships between cultural organizations or other cultural
287 institutions to present new multidisciplinary cultural experiences;
- 288 n. implementing organizational capacity-building projects or activities that an
289 organization can demonstrate, to the reasonable satisfaction of the program, will enhance
290 the ability of the organization to execute community outreach, communications and

291 marketing strategies to attract and engage county residents with opportunities of access to
292 cultural experiences and with emphasis on underserved communities; and

293 o. in the case of community-based cultural organizations, implementing
294 organizational capacity-building projects or activities that an organization can
295 demonstrate, to the reasonable satisfaction of the program, will enhance the ability of the
296 organization to provide or continue to provide meaningful public benefits not otherwise
297 achievable.

298 **SECTION 5. Tax imposed, conditioned on voter approval.**

299 A. To provide necessary moneys for the Access for All program identified in
300 section 3 of this ordinance and conditioned on the specific authorization of a majority of
301 the voters voting on the proposition authorized in section 8 of this ordinance, an
302 additional one-tenth of one percent sales and use tax is hereby levied, fixed and imposed
303 on all taxable events within the county as defined in chapter 82.08, 82.12 or 82.14 RCW
304 for seven years. The tax shall be imposed upon and collected from those persons from
305 whom sales tax or use tax is collected in accordance with chapter 82.08 or 82.14 RCW,
306 and shall be collected at the rate of one-tenth of one percent of the selling price, in the
307 case of a sales tax, or value of the article use, in the case of a use tax. The additional
308 sales and use tax shall be in addition to all other existing sales and use taxes currently
309 imposed by the county under RCW 82.14.045.

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

314 **SECTION 6. Deposit of tax proceeds.**

315 A. The proceeds of the sales and use tax imposed under section 5 of this
316 ordinance shall be deposited in the access for all fund and used solely for the purposes
317 consistent with RCW 36.160.

318 B. The proceeds of the tax imposed under section 5 of this ordinance may not
319 be used to supplant existing county funding. The county affirms that any funding similar
320 to the funding available under this ordinance that the county usually and customarily
321 provides to cultural organizations shall not be replaced or materially diminished as a
322 result of funding becoming available under this ordinance.

323 C. "Proceeds" means the revenue raised by the additional sale and use tax
324 authorized by this ordinance and any interest thereon.

325 **SECTION 7. Use of tax proceeds -- allocations.**

326 A. From the annual tax proceeds, an amount shall first be reserved for repayment
327 of start-up funding.

328 B. From the remaining tax proceeds after reserving the amount required in
329 subsection A. of this section, up to one and one-quarter percent of total tax proceeds
330 available annually may be used for program administrative costs incurred by the county
331 and 4Culture.

332 C.1. From the remaining tax proceeds after reserving the amounts required in
333 subsections A. and B. of this section, ten percent of remaining moneys annually will
334 directly provide moneys for the public school access program subject to RCW
335 36.160.100(2). If funding available under this program for student transportation is
336 inadequate in any one year due to more demand for student transportation than can be

337 funded, then the annual percentage allocation to the public school cultural access
338 program can be increased up to twelve percent to provide additional moneys to ensure
339 adequate funding of student transportation.

340 2. The public school access program shall increase public school student access
341 to the programming offered and facilities operated by regional and community-based
342 cultural organizations. Benefits shall be offered to every public school in the county,
343 prioritizing those public schools with higher percentages of students attending the school
344 who participate in the national free or reduced-price school meals program.

345 3. Regional cultural organizations must spend twenty percent of the moneys
346 received under subsection D. of this section on the public school access program,
347 including, but not limited to, the costs of bringing curriculum-based art, science and
348 cultural education programs to classrooms to deepen the experience for students.

349 4. The public school access program shall provide moneys for transportation for
350 public school students to attend and participate in age-appropriate programs and activities
351 offered by cultural organizations. The public school access program shall provide
352 training for teachers and providers of cultural education resources including artists,
353 historians, and scientists; provide moneys for district-wide cultural education plans and
354 district cultural education coordinators; and provide for the development of tools,
355 materials and media by cultural organizations to ensure that school access programs and
356 activities correlate with school curricula.

357 D.1. From the remaining tax proceeds after reserving the amounts required in
358 subsections A., B. and C. of this section, the program will annually distribute seventy
359 percent of the moneys to regional cultural organizations through an annual ranking by the

360 combined size of their average annual revenues and their average annual attendance, both
361 over the three preceding years, in which attendance has twice the weight of revenues.

362 2. Moneys must be distributed among eligible organizations in ranked order
363 such that an organization with a higher ranking receives higher funding provided,
364 however, that no organization may receive moneys in excess of fifteen percent of its
365 average annual revenues over the three preceding years. Moneys must be used to support
366 cultural and educational activities, programs and initiatives, public benefits and
367 communications and basic operations of cultural organizations under the regional cultural
368 organization access program consistent with RCW 36.160.110(2), including the
369 requirement that twenty percent of each regional cultural organization award be dedicated
370 to participation in the public school access program as described in subsection C. of this
371 section. Moneys distributed to regional cultural organizations under this subsection may
372 not be used for capital expenditures or acquisitions including, but not limited to, the
373 acquisition of or the construction of improvements to real property.

374 E. From the remaining tax proceeds after reserving the amount required in
375 subsection A., B., C. and D. of this section, including, but not limited to, moneys not
376 distributed to regional cultural organizations because of the fifteen percent of annual
377 revenue limit or the ranking requirement or otherwise, not more than eight percent shall
378 be distributed annually to 4Culture for administrative costs of the Access For All
379 program.

380 F. From the remaining tax proceeds after reserving the amount required in
381 subsections A., B., C., D. and E. of this section, including, but not limited to, moneys not
382 distributed to regional cultural organizations because of the fifteen percent of annual

383 revenue limit or the ranking requirement or otherwise, all remaining moneys will be
384 distributed annually to community-based cultural organizations to be used to support
385 cultural and educational activities, programs and initiatives; public benefits and
386 communications; basic operations; capital expenditures or acquisitions; and technology,
387 equipment and supplies reasonably related to or necessary for a project funded under the
388 community-based access organization program and consistent with RCW 36.160.110(2).

389 G. The program may grant moneys to a fiscal sponsor for the purpose of
390 contracting with a sponsored community-based cultural entity for specific activities or
391 uses approved by the program, but only if the fiscal sponsor: retains control and
392 discretion as to the use of the moneys; maintains records establishing that the moneys
393 were used for purposes authorized under section 501(c)(3) of the Internal Revenue Code
394 of 1986, as amended; and limits distributions to specific projects of sponsored cultural
395 entities that are in furtherance of the fiscal sponsor's own exempt purposes. Such a fiscal
396 sponsor may provide program moneys to a sponsored cultural entity only if the specific
397 projects of the sponsored cultural entity provide or continue to provide public benefits
398 identified in section 3 of this ordinance. A fiscal sponsor shall be fully responsible and
399 liable for the completion of the specific projects of the sponsored cultural entity provided
400 program moneys under this ordinance and the provision of public benefits by such a
401 specific project.

402 H. 4Culture shall develop guidelines for eligible expenditures for each program
403 component identified in section 3 of this ordinance. The guidelines must be consistent
404 with chapter 36.160 RCW and this ordinance.

405 **SECTION 8. Call for special election.** In accordance with RCW 29A.04.321,
406 the King County council hereby calls for a special election on August 1, 2017, to
407 consider a proposition approving the imposition for seven years, an additional sales and
408 use tax of one-tenth of one percent for the purposes described in this ordinance. The
409 King County director of elections shall cause notice to be given of this ordinance in
410 accordance with the state constitution and general law and to submit to the qualified
411 electors of the county, at the said special county election, the proposition hereinafter set
412 forth. The clerk of the council shall certify that proposition to the King County director
413 of elections in substantially the following form:

414 PROPOSITION___; The King County Council passed Ordinance _____
415 creating the Access for All program designed to increase access to arts,
416 science, and heritage institutions for all county residents. If approved, this
417 proposition would provide funding for access to free cultural events and
418 in-classroom programming for all King County school districts and
419 improve access to regional and community-based arts, science and
420 heritage organizations. The measure would authorize and impose the
421 collection of an additional sales tax of one-tenth of one percent for seven
422 years beginning January 1, 2018. Should this proposition be:

423 ___ Approved

424 ___ Rejected

425 **SECTION 9. Implementation plan.**

426 A. If the sales and use tax is approved by the voters, the program will develop
427 and provide to the county executive a King County Access for All program

428 implementation plan. The county executive, in consultation with 4Culture, shall transmit
429 the implementation plan to the council within ninety days of the certification of the
430 election approving the sales and use tax. The implementation plan shall include the
431 following:

432 1. Detailed program descriptions of the major elements of the Access for All
433 program, which are the public school access program, the regional cultural organization
434 access program, the community-based cultural organization access program and a
435 framework for 4Culture administration of all programs.

436 a. The public school access program description shall include:

437 (1) an overall summary of the public school access program and fund
438 allocation within this portion of the Access for All program;

439 (2) a description of district and school teacher training components of the
440 public school access program including timeline and expected costs and outcomes;

441 (3) a description of the goals, priorities and process for the public school
442 transportation program that includes start-up timeline, communications strategy and
443 respective roles that school districts, school teachers, cultural organizations' education
444 programs and 4Culture will play in planning and delivery of the public school access
445 program; and

446 (4) a description of goals, priorities, and strategies for delivering the cultural
447 organization's in-school and in-community education programs.

448 b. The regional cultural organization access program description shall include:

449 (1) an overall summary of the regional organization access program and fund
450 allocation within this portion of the Access for All program;

451 (2) a proposal for regional cultural organizations to commit up to thirty
452 percent of their awards towards equity and inclusion public benefits that are intended to
453 make meaningful progress towards the equity and inclusion outcomes in this ordinance;

454 (3) an explanation of attendance and revenue requirements and resources for
455 regional organizations to use in reporting eligible revenue and attendance, including,
456 without limitation, guidelines for establishing attendance and revenue for the initial three
457 transition years of the program;

458 (4) a description of the process and reports for determining the baseline
459 standard of continuous performance of public benefits provided, a description of
460 guidelines for establishing the minimum level of equity and inclusion public benefits a
461 regional cultural organization must provide to be eligible for funding under the program
462 and descriptions of the discernible equity and inclusion public benefits and general public
463 benefits consistent with RCW 36.160.090;

464 (5) a public benefit reporting framework for regional organizations that
465 includes standards for reports describing the organization's success in providing
466 discernable equity and inclusion public benefits that resulted in progress towards
467 achievement of equity and inclusion outcomes and general public benefits as anticipated
468 in the organization's prior report and a preview of the equity and inclusion public
469 benefits, expected equity and inclusion outcomes and general public benefits the
470 organization plans to provide in the coming year;

471 (6) a public school access reporting framework for regional cultural
472 organizations to use in describing their participation in the public school educational

473 activities as anticipated in the organization's prior report and a preview of the public
474 school educational programs they intend to provide in the coming year;

475 (7) a description of initial application procedures that will be used for the
476 regional cultural organization access program to verify whether an organization is
477 eligible for the program; and

478 (8) a description of procedures to distribute funds annually and contracting
479 and payment process and procedures for assuring transparency, accountability, and
480 compliance in administering the funds, all consistent with chapter 36.160 RCW.

481 c. The community-based organization access program description shall
482 include:

483 (1) an overall summary of the community-based organization access program
484 and fund allocation within this portion of the Access for All program for operating,
485 project, capital, initiative and other funding pools;

486 (2) criteria for awarding funds to either eligible community-based
487 organizations, including provisions allowing fiscal sponsorship of non-tax exempt
488 community-based cultural entities, or qualified nontraditional/social service and cultural
489 agencies, or both, for defined cultural project funding, and description of criteria for
490 increasing awards up to thirty percent of an organization's budget for community-based
491 cultural organizations who either are organized of, by and for communities and census
492 tracts that are underserved or provide significant equity and inclusion public benefits, or
493 both;

494 (3) procedures for conducting competitive processes for supporting
495 community-based organizations' operations, projects, capital and equipment programs

496 and initiatives, and procedures for assuring transparency, accountability and compliance,
497 all consistent with chapter 36.160 RCW;

498 (4) a description of the community-based organization access program's
499 countywide technical assistance and communications plan to promote broad participation
500 by community-based cultural organizations;

501 (5) descriptions of the community-based organization access annual
502 application, panel and approval process for awarding annual or multiyear grants; the
503 program will design the process to minimize the burden it places on applicant
504 community-based organizations and will work to improve that process continuously from
505 year to year;

506 (6) description of contract and payment process for community-based cultural
507 organization grants; and

508 2. Description of any additional guidelines, consistent with chapter 36.160
509 RCW as the program deems necessary or appropriate for determining the eligibility of
510 prospective regional cultural organizations or of prospective community-based cultural
511 organizations to receive funding and for establishing the amount of funding any
512 organization may receive;

513 3. Proposed policies that outline how fluctuations in revenue collections will
514 impact the allocation process, cultural organization eligibility, and reporting
515 requirements.

516 4. The establishment of a 4Culture advisory committee whose purpose is to
517 advise, monitor, and provide oversight for achieving the equity and inclusion outcomes
518 associated with the program; and

519 5. A proposed annual reporting framework between 4Culture and the county
520 that includes a fiscal report of the distribution of funds, a performance report on each
521 funded regional cultural organization's success in providing discernable public benefits as
522 anticipated in the organization's prior annual report, a report on the preview of the public
523 benefits each funded regional cultural organization's plan to provide in the coming year; a
524 performance report of each funded regional cultural organization's participation in the
525 public school cultural access program as anticipated in the organization's prior annual
526 report, and a preview of each funded regional cultural organization's planned
527 participation in the public school cultural access program in the coming year, a
528 performance report on each funded community-based cultural organization's discernable
529 public benefits, and a management report identifying any proposed changes to the
530 program panel process, eligibility guidelines, or reporting requirements. The program
531 will provide such reports annually to the executive and the council on or before March 31
532 of each year.

533 SECTION 10. Ratification. Certification of the proposition by the clerk of the
534 county council to the director of elections in accordance with law before the election on
535 August 1, 2017, and any other act consistent with the authority and before the effective
536 date of this ordinance are hereby ratified and confirmed.

537 SECTION 11. Severability. If any provision of this ordinance or its application
538 to any person or circumstance is held invalid, the remainder of the ordinance or the
539 application of the provision to other persons or circumstances is not affected.