

Published by **4CULTURE** on **January 26, 2018**

Statement on Proposed King County Ordinance #2018-0086

The King County Council introduced **Ordinance #2018-0086** on Wednesday, January 24, 2018. It states the Council has “determined that public funding for the cultural programs necessitates greater oversight and accountability to the public.” 4Culture is a respected public agency (Public Development Authority, PDA) with an excellent record of accomplishment and proven fiscal responsibility and accountability. The ordinance proposes changes to 4Culture’s charter and its by-laws that will have a significant impact by shifting responsibilities for budgeting, staffing, and board appointments from the 4Culture Board of Directors to the King County Council.

Current Oversight Measures:

- All 4Culture funding grants are approved through a three-step process. Applications are evaluated by **peer-panels**, the selections are reviewed by **community advisory committees**, and finally approved by the **4Culture Board of Directors**, comprised of fifteen leaders in the business and cultural sector.
- The Auditor’s Office of Washington conducts an **annual audit** of 4Culture’s activities, financials, and compliance. 4Culture has been audited 23 times with only one finding—an outstanding record of governance and financial oversight. State Auditor Brian Sontag said in 2008, “This accomplishment shows 4Culture’s dedication to sound financial operations and timely financial reporting.”
- Three King County Council members sit on the Board of Directors as **ex-officio members** and have full access to review operations, give input on grant activities and the budget, and report back to the full council. King County Council members have sat on the Board since 2003.
- The selection and removal of the 4Culture Executive Director is the sole responsibility of the Board of Directors.
- 4Culture presents two annual reports to the **King County Council** on programs, awards, revenues, expenses, initiatives, and activities. 4Culture’s senior leadership is called upon on a regular basis to meet with and advise the King County Council and **Executive** on arts and cultural related matters.
- Our three ex-officio Councilmembers also sit as voting members on the Board Nominating Committee, which presents two to three recommendations to the King County Executive for each open position. Our existing charter calls out a careful process to consider geographic and racial diversity as well as maintaining a balance of expertise in the agency’s four program areas: **arts**, **heritage**, **preservation** and **public art**.

The proposed ordinance will:

Give the King County Council the right to accept or reject 4Culture’s annual budget. If 4Culture’s budget is rejected, **King County lodging tax, public art**, and other funds to 4Culture will not be released until the 4Culture board submits a new budget for council approval. Withholding revenues would disrupt annual grant programs and Public Art projects.

Give the Council the authority to remove the Executive Director with or without 4Culture Board approval. The King County Council does confirm King County Department heads, but does not have the authority to remove them. Under this ordinance, the Executive Director would serve at the discretion of the King County Council and not the 4Culture Board.

Give the King County Council the ability to appoint the majority of the 4Culture board—nine of fifteen members—by council district, eliminating the 4Culture Nominating Committee’s recruitment process. It reduces the nominations of the King County Executive to six members.

There are **14 public agencies similar to 4Culture** located in King and Pierce Counties. If this ordinance is passed, 4Culture will be the only one with a governing authority—in this case, the King County Council—that has direct political veto power over the Executive Director, can remove professional staff, can veto program or capital budgets, and can appoint Board Directors by elective district.

For More Information:

Proposed Ordinance #2018-0086

See the full text of the ordinance, as introduced by the King County Council on January 24, 2018.

Proposed Changes to 4Culture Charter

See the full text of 4Culture’s charter, with the Council’s proposed additions marked in blue, and proposed deletions marked in red.

Proposed Changes to 4Culture Bylaws

See the full text of 4Culture’s bylaws, with the Council’s proposed additions marked in blue, and proposed deletions marked in red.