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CITY OF SEATTLE

ORDINANCE \_\_\_\_\_

COUNCIL BILL 118228

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AN ORDINANCE relating to the Office of Arts & Culture; authorizing the Director of the Office of Arts & Culture to set fees and charges for the Langston Hughes Performing Arts Institute.

WHEREAS, the Langston Hughes Performing Arts Institute was transferred from the jurisdiction of the Department of Parks and Recreation to the Office of Arts & Culture with the 2013 Adopted Budget; and

WHEREAS, it is necessary to change the fees and charges relating to the use of the Langston Hughes Performing Arts Institute in conjunction with the 2015 Adopted Budget; and

WHEREAS, the Director of the Office of Arts & Culture should have the authority to change fees and charges for the Langston Hughes Performing Arts Institute to reflect market conditions at comparable venues; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Section 3.14.815 of the Seattle Municipal Code, which was last amended by Ordinance 124539, is amended as follows:

**3.14.815 Director—duties**

The Director of the Office of Arts and Culture shall be the head of and responsible for the administration of the Office of Arts and Culture. Under the direction of the Mayor, the duties of the Director of the Office of Arts and Culture shall include the following:

\* \* \*

K. Set fees and charges for the Langston Hughes Performing Arts Institute that compete with market pricing at comparable venues. In setting these fees and charges, the Director is not subject to the provisions of Chapter 3.02 of the Seattle Municipal Code.

L. Exercise such other and further powers and duties as shall be prescribed by ordinance.

\* \* \*



1 Section 2. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2014, and  
5 signed by me in open session in authentication of its passage this  
6 \_\_\_\_ day of \_\_\_\_\_, 2014.

7 \_\_\_\_\_  
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9 President \_\_\_\_\_ of the City Council

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11 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2014.

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14 Edward B. Murray, Mayor

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16 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2014.

17 \_\_\_\_\_  
18  
19 Monica Martinez Simmons, City Clerk

20 (Seal)



**2015 BUDGET LEGISLATION FISCAL NOTE**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Office of Arts & Culture	Jane Morris / 684-8362	Ann Gorman / 684-5272

**Legislation Title:**

AN ORDINANCE relating to the Office of Arts & Culture; authorizing the Director of the Office of Arts & Culture to set fees and charges for the Langston Hughes Performing Arts Institute.

**Summary of the Legislation:**

This Ordinance will give the Director of the Office of Arts & Culture (Arts) the authority to change fees and charges for the Langston Hughes Performing Arts Institute (LHPAI) to compete with comparable venues.

**Background:**

Fees and charges relating to the use of LHPAI were previously contained in the Department of Parks and Recreation's (Parks) Fee Schedule when the facility was under the Parks umbrella. Now that LHPAI is being administered by Arts, Arts will need legislative authority to change fees and charges.

The nature of LHPAI means that it competes with other venues for rentals. This legislation will allow the Arts Director to respond to changing market conditions in establishing appropriate fees for LHPAI.

LHPAI maintains a fee structure for all its rentals ranging from free to full recovery of costs. This proposed fee change will ensure that:

- Current fees are in alignment with comparable facility fees and amenities in the marketplace.
- Theater lamp use fees will be required to help LHPAI establish a reserve account for future replacement of the costly lamp fixture.

Attachment A shows the proposed fee schedule including references to fees previously charged for rentals and services at LHPAI while part of Parks.

X This legislation has financial implications.



**Summary of Changes to Revenue Generated Specifically from this Legislation:**

	Revenue Source	2015 Proposed	2016 Proposed
<b>Total Fees and Charges Resulting From Passage of This Ordinance</b>			

Revenue Change Notes:

This legislation is not expected to impact anticipated revenues.

**Anticipated Total Revenue from Entire Program, Including Changes Resulting from this Legislation:**

Fund Name and Number	Revenue Source	Total 2015 Revenue	Total 2016 Revenue
00140 Arts Account	Langston Hughes Performing Arts Institute	\$36,000	\$37,000
63090 Donation Fund	Langston Hughes Performing Arts Institute	\$35,000	\$36,000
<b>TOTAL</b>		<b>\$71,000</b>	<b>\$73,000</b>

Total Revenue Notes:

A portion of the fee revenue generated by LHPAI is budgeted to support the operations of the program (deposited in the Arts Account). The remainder of the revenue is collected in the Arts Commission Donation Fund (in a separate project), and LHPAI may use these funds to support programming and other costs at the facility.

**Other Implications:**

- a) **Does the legislation have indirect financial implications, or long-term implications?**  
 If approved, this legislation has indirect financial implications. It will allow the Arts Director to set fees for LHPAI. Attachment A to this fiscal note is what the Arts Director has indicated that the Office is likely to charge, given the authority, beginning January 2015. The resulting difference between 2015 anticipated revenues and 2014 actual revenues is expected to be negligible.
  
- b) **What is the financial cost of not implementing the legislation?**  
 This legislation addresses confusion made when LHPAI was transferred from Parks to Arts as part of the 2013 budget process. Although jurisdiction was transferred and LHPAI fees were removed from the Parks and Recreation Fee Schedule, the ability to set fees was not explicitly placed under Arts. This legislation remedies that. In 2014,



LHPAI fees were unchanged from the 2013 fees under Parks. This legislation is needed to allow the Arts Director to set fees, keeping charges competitive at market rates while providing income to LHPAI.

- c) **Does this legislation affect any departments besides the originating department?**  
No.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**  
None.
- e) **Is a public hearing required for this legislation?**  
No.
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**  
No.
- g) **Does this legislation affect a piece of property?**  
No.
- h) **Other Issues:** None.

**Attachments:**

Attachment A – Fee Schedule – Office of Arts & Culture / Langston Hughes Performing Arts Institute



## Attachment A

### **Fee Schedule -- Office of Arts & Culture / Langston Hughes Performing Arts Institute**

**The tables below identify all proposed fees for various services, uses and rentals at the Langston Hughes Performing Arts Institute ("LHPAI"), within the Office of Arts & Culture ("Arts"). LHPAI was previously managed by the Department of Parks and Recreation ("Parks").**

#### **Theater**

The use fees for the historical, 287-seat LHPAI vary by length and type of use. To further maintain the theater, no taping or tacking of decorations or meeting materials to walls, windows, fixtures, lighting or seating areas is permitted. Theater furniture, fixtures, curtains, and equipment may not be moved. **Please NOTE the following:**

- Theatre rentals may require additional labor charges for the theater and a technical staff person, with overtime and or City of Seattle ("City") holidays charged at the approved City rates of pay.
- A maintenance fee will be required for audiences and activities when the use will impact the normal maintenance standard of the facility. The City is self-insured, however each use requires an accord form (certificate of additional insured) naming the City, Arts, and LHPAI as additional insured paid by the renter (coverage amount is based on estimated attendance and type of event).
- An additional charge is required for the use of certain types of facility equipment, subject to availability.
- Theater rental includes new categories for use of theater lamp during general types of productions, presentations, performances, and rehearsals depending on approved lighting use.

#### **Performance Rentals**

<b>2014 Fee (Parks)</b>	<b>Proposed 2015 Fee</b>	<b>Proposed 2016 Fee</b>	<b>Fee Description</b>	<b>Comments</b>
\$160	\$160	\$160	Theater, per hour	No change from 2014 fee (in Parks)
\$75	\$75	\$75	"Load-in/Load-out" fee	No change from 2014 fee (in Parks)



**Film/Video Rentals**

2014 Fee (Parks)	Proposed 2015 Fee	Proposed 2016 Fee	Fee Description	Comments
\$350	\$140	\$140	Drop Down Screen provided (4 hours)	Fee reduced substantially from 2014 fee (in Parks)

**Conference, Meeting or Seminar Rental**

2014 Fee (Parks)	Proposed 2015 Fee	Proposed 2016 Fee	Fee Description	Comments
\$120	\$160	\$160	Theater, per hour	Fee slightly increased from 2014 fee (in Parks)

**Rehearsals**

2014 Fee (Parks)	Proposed 2015 Fee	Proposed 2016 Fee	Fee Description	Comments
\$35	\$35	\$35	Per hour, when renter is NOT renting space at LHPAI for the rehearsed performance.	No change from 2014 fee (in Parks).
\$25	\$25	\$25	Per hour, when renter has also rented space at LHPAI for the rehearsed performance.	No change from 2014 fee (in Parks).

**Technician**

*This fee is for use of LHPAI's technician. Alternately, renters may propose to use their own technician, subject to approval by LHPAI.*

2014 Fee (Parks)	Proposed 2015 Fee	Proposed 2016 Fee	Fee Description	Comments
\$42	\$45	\$46	Per hour.	Increase due to COLA.

**Grand Performance Hall and West Room and Kitchen**

*To further maintain LHPAI, no taping or tacking of decorations or meeting materials to walls, windows, fixtures, lighting or seating areas is permitted. Facility furniture, fixtures, curtains, and equipment may not be moved.*

2014 Fee (Parks)	Proposed 2015 Fee	Proposed 2016 Fee	Fee Description (Staff costs are additional – see notes.)	Comments
N/A	\$25	\$25	A non-refundable \$25 booking fee is required for ALL meeting room rentals in addition to the	Proposed fee (not covered in previous Parks fee schedule); recovers staff



			hourly rates.	time for booking and subsequent changes/updates.
N/A	\$45	\$45	West Room (750 square feet), per hour (Capacity approximately 45 people sitting).	Proposed fee (not covered in previous Parks fee schedule).
\$160	\$160	\$160	Grand Rehearsal Hall (5,000 square feet, full sprung floor) per hour (Capacity approximately 150 people sitting, 300 people standing).	No change from 2014 fee (in Parks).
\$75	\$75	\$75	*Kitchen, per hour (minimum 2 hours)	No change from 2014 fee (in Parks).
N/A	\$75	\$75	Additional fee for events with alcohol (insurance and banquet permit also required).	Proposed non-refundable deposit fee.

**\*Notes:**

Staff rates increase to the City of Seattle approved rate of holiday pay on City holidays and also increase when overtime applies.

Use of kitchen is not included with any rentals unless specifically identified in rental fee description. Kitchen can only be rented in conjunction with the Grand Rehearsal Hall and/or West Room. Kitchen equipment and supplies are not available for use.

**Damage Deposits and Maintenance Fee**

*Damage deposits apply to ALL rentals.*

2014 Fee (Parks)	Proposed 2015 Fee	Proposed 2016 Fee	Fee Description	Comments
\$250	\$250	\$250	Refundable rental and cleaning deposit (no alcohol).	No change from 2014 fee (in Parks).
\$500	\$500	\$500	Refundable damage deposit for rentals with ALCOHOL	No change from 2014 fee (in Parks).
\$25 to \$500	\$25 to \$500	\$25 to \$500	A non-refundable per day maintenance fee may be charged and collected prior to the event which is determined based on event size and type.	No change from 2014 fee (in Parks).

**Wedding Packages**

*All Wedding Packages include a pre-meeting with staff to determine specific requirements as well as to review and approve the installation of proposed decorations. Additional staff costs that may be required are not included in the cost of the package.*



2014 Fee (Parks)	Proposed 2015 Fee	Proposed 2016 Fee	Fee Description	Comments
\$8,850	\$4,200	\$4,200	<b>Package A (maximum 10 hours):</b> Includes Theater, dressing room, Green Room, Grand Rehearsal Hall, kitchen, dance floor, D.J., parking (reserved north & south lots), sound system.	Fee reduced substantially from 2014 fee (in Parks) to be brought into line with market rates.
\$4,925	\$2,500	\$2,500	<b>Package B (maximum 8 hours):</b> Includes Grand Rehearsal Hall, kitchen, D.J., West Room, sound system, parking (reserved north lot only).	Fee reduced substantially from 2014 fee (in Parks) to be brought into line with market rates.

**Conference Packages**

*All Conference Packages include a pre-event meeting regarding specific conference/event requirements. Additional staff charges may be required, depending on the size of the event. One staff person is included in the cost of each package.*

2014 Fee (Parks)	Proposed 2015 Fee	Proposed 2016 Fee	Fee Description	Comments
\$3,200	\$3,200	\$3,200	<b>Package A (8 hours):</b> Includes theater, Grand Rehearsal Hall and kitchen. Includes Class A light use configuration in theater	No change from 2014 fee (in Parks).
\$2,100	\$2,100	\$2,100	<b>Package B (6 hours):</b> Includes Grand Rehearsal Hall and kitchen. Includes Class B light use configuration in theater	No change from 2014 fee (in Parks).

**Specialty Sunday Use**

*In addition to the monthly rate, a staffing fee of \$25.00 per hour is required (staff fee increases 1½ times per hour on holidays).*

2014 Fee (Parks)	Proposed 2015 Fee	Proposed 2016 Fee	Fee Description (Note: NOT available for Business or Fee-Based Programs.)	Comments
\$3,100	\$3,100	\$3,100	Per month (requires minimum of 4 week rental); includes 4 hours use of Grand Rehearsal Hall and West Room 4 Sundays per month, between 7:00 a.m. and 12:00 noon.	No change from 2014 fee (in Parks).



**Equipment Rentals**

2014 Fee (Parks)	Proposed 2015 Fee	Proposed 2016 Fee	Fee Description <i>(Note: All equipment rentals are in conjunction with a facility rental.)</i>	Comments
\$50	\$50	\$50	Baby Grand Piano, per day	No change from 2014 fee (in Parks).
\$50	\$250	\$250	Projector damage deposit (per rental, one- or multi-day), refundable.	Fee increased to offset cost of replacement bulbs.
\$50	\$60	\$60	Small Stage/Platform, per day (Labor fee separate – minimum 2 hours)	Fee slightly increased from 2014 fee (in Parks).

**Theater lamp fee per show (Applies to all theater rentals.)**

2014 Fee (Parks)	Proposed 2015 Fee	Proposed 2016 Fee	Fee Description <i>(Note: All lamp fees are in conjunction with theater rentals. Category definitions are below.)</i>	Comments
N/A	\$150	\$150	Category I - Basic Show/One Person Show. Lamp Use fee	Proposed fee (helps to offset cost of replacement lamps).
N/A	\$250	\$250	Category II - Intermediate Show/Stage Production/Dance. Lamp Use fee	Proposed fee (helps to offset cost of replacement lamps).
N/A	\$450	\$450	Category III- Advanced Show/Full Stage Production Lamp Use fee	Proposed fee (helps to offset cost of replacement lamps).
N/A	\$10	\$10	Per Rehearsal - Category I - Basic Show/One Person Show.	Proposed fee (helps to offset cost of replacement lamps).
N/A	\$12	\$12	Per Rehearsal - Category II - Intermediate Show/Stage production/Dance	Proposed fee (helps to offset cost of replacement lamps).
N/a	\$15	\$15	Per Rehearsal - Category III- Advanced Show/Full Stage Production	Proposed fee (helps to offset cost of replacement lamps).

**Category I - Basic Show/One Person Show**

**Lamp Use**

This is similar to a black box one man show piece. There may be some light design-though nothing that would involve a full hang.

**Category II - Intermediate Show/Stage production/Dance.**

**Lamp Use**

There is set and light work that is being used. Sets and gear need to be moved in and out of the theater. There is rehearsal time in the theater and complex sound and light use.



**Category III - Advanced Show/Full stage Production**

**Light Use**

There is a full dedication of theater equipment resources. Even if not produced in house, LHPAI staff hours are spent reviewing loading and inspecting systems. The entirety of the theater and its resources are being tasked to such productions.





**City of Seattle**  
Edward B. Murray  
Mayor

September 22, 2014

Honorable Tim Burgess  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Burgess:

I am transmitting the attached proposed Council Bill regarding fees and charges at the Langston Hughes Performing Arts Institute (LHPAI).

LHPAI fees were previously set as part of the Department of Parks and Recreation fee schedule. The LHPAI program was transferred from Parks to the Office of Arts & Culture as part of the 2013 budget process.

The proposed legislation will allow the Director of Arts & Culture to set fees at the LHPAI that reflect competitive pricing with similar facilities in the area at market rates.

Thank you for your consideration of this legislation. Should you have questions, please contact Jane Morris at 684-8362.

Sincerely,

Edward B. Murray  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

