

September 8, 2022

MEMORANDUM

To: Economic Development, Technology & City Light Committee
From: Yolanda Ho, Lead Analyst
Subject: Seattle Film Commission (CB 120412)

On September 14, 2022, the Economic Development Technology & City Light Committee (Committee) will discuss and may vote on [Council Bill \(CB\) 120412](#) that would establish a new Seattle Film Commission. The Committee discussed a [pre-introduction draft](#) of the legislation at its meeting on August 10.

This memo describes (1) background on the proposal; (2) CB 120412, including changes from the pre-introduction draft; (3) potential impacts of the legislation; (4) a proposed amendment; and (5) next steps.

Background

For many years, the City maintained an Office of Film + Music (OFM) that supported both the film and music industries by developing policies to advance industry priorities and coordinating interdepartmental permitting processes. OFM was located within the Office of Economic Development (OED) but functioned independently of OED until 2019. At that time, the Mayor and OED leadership began the process of integrating OFM staff and resources into OED's broader creative industry strategy.¹ As part of this effort, OED convened roundtable discussions with film industry stakeholders to provide recommendations on how the City could best support and grow the local film industry and broader film community.

OED followed up on these discussions by establishing a Film Task Force in 2020 to continue engaging with film industry representatives to develop the ideas generated during the roundtable discussions. The task force recommended the City establish a film commission; address the issues related to diversity, equity, and inclusion within the film industry; promote Seattle as a premier filmmaking destination; and ensure that the City continues to support the film industry with staff, policy development, and permitting improvements.

As part of the 2020 Adopted Budget, the Council included [Statement of Legislative Intent \(SLI\) OED-10-A-2](#), sponsored by Councilmember Herbold, requesting that OED provide recommendations regarding the creation of a film commission. OED provided a [response](#) in November 2020 that offered high-level guidance for the proposed commission's purpose and membership, but legislation establishing the new commission did not move forward for various reasons, including a leadership change in OED in early 2021 and the office's focus on

¹ The 2020 Adopted Budget repurposed OFM staff and resources to advance OED's Creative Industry strategy, which is itself currently under evaluation with the recent change in mayoral administration and OED leadership.

addressing the immediate impacts of the pandemic on small businesses by providing financial assistance and other support.

CB 120412

Earlier this year, Councilmember Nelson, in partnership with OED, engaged with film industry stakeholders to restart the effort to create a film commission and this proposed legislation is the result of that effort.

CB 120412 would establish an 11-member Seattle Film Commission (Commission), staffed by OED, to advise and make recommendations to the City on the development of policies and programs related to the economic development of Seattle's film industry. The Commission's goals would be to:

- Inform and influence the regional film industry and community, in partnership with the City, to address disparities caused by systemic racism, so that Seattle is at the forefront of driving equity, diversity, inclusion, and economic prosperity; and
- Advance the City's economic development priorities in the creative economy by serving as a conduit between the City and the film industry and community to attract and retain local, regional, national, and global business; build inclusive career pathways into the film industry; and advise on the development of efforts that reinforce and grow the role of film in the region's content and creative industries.

Members would represent the following subgroups:

1. On-screen talent or their representatives;
2. Film industry labor unions;
3. Advertising and creative agencies;
4. Commercial producers or production companies;
5. Film schools, film programs, or film educators;
6. Post-production companies and personnel, such as editors, composers, and post-supervisors;
7. Film production crew, including but not limited to props, sets, wardrobe, make-up, hair, camera, grip, and electric;
8. Film festivals or film content distribution companies;
9. Film location managers;
10. Film organizations belonging to and advocating for communities underrepresented in the film industry; and
11. Immersive technology (such as augmented, extended, mixed, and virtual reality) and emerging technology businesses.

Members would be appointed to three-year terms, with a limit of serving two consecutive terms. Five members would be appointed by the Council, five by the Mayor, and one by the Commission. All appointments would be subject to confirmation by the Council. The legislation would authorize OED to provide financial compensation to members should participating on the Commission present a financial hardship.

Attachment 1 provides a comparison of the pre-introduction draft (v1g) that the Committee discussed on August 10 and the version that has been introduced (v1i). The minor changes clarify intent and align the goals with that intent, and respond to OED's request to strike the reference to The City of Seattle Industrial Development Corporation, which is no longer active.

Potential Impacts

Expertise

The City supports over 70 active boards and commissions to advise and make recommendations to the Council, Mayor, and departments on myriad topics. There is currently no advisory body specifically for the film industry; this body would provide the expertise to inform the City about the industry's priorities, including those identified by the Film Task Force, and advise on the development of film-related efforts that will advance the City's economic development priorities for the creative economy.

Related, the Council established the Seattle Music Commission (previously staffed by OFM, and now OED) in 2009 via [Resolution 31173](#). The new Seattle Film Commission would be required to meet with the Seattle Music Commission annually to encourage collaboration between the two complementary industry groups.

Fiscal and administrative

The proposed legislation would create a new advisory body that requires dedicated staffing and potentially additional funding for hardship compensation and other support. OED currently has a filled Film Program Manager position that would be assigned to support the Commission within their existing scope; thus, no additional staff should be needed for this purpose. The total compensation amount for Commission members will depend upon how many of them request compensation and the compensation rate.² It is also possible that the Commission may request ongoing funding to support their efforts as has been the case with other advisory bodies, such as the Seattle Music Commission which receives \$50,000 annually.³

² The City is currently reviewing compensation practices for boards and commissions as well as ad hoc advisory groups convened by departments to help establish standards moving forward.

³ Through a Memorandum of Agreement (MOA) with OED, Office of Arts and Culture allocates \$50,000 in admission tax revenues annually to support the Seattle Music Commission, specifically for City of Music Career Days and industry roadshows. The MOA will expire in 2023.

The new Commission could potentially help increase tax revenues generated by the film industry in Seattle. Earlier this year, the Washington State Legislature passed and the Governor signed into law [House Bill 1914](#) that increased the State’s annual Business and Occupation Tax credit limit for the Motion Picture Competitiveness Program from \$3.5 million to \$15 million annually to boost film production in the state. The Commission’s duties would include advising and assisting the City on efforts to promote Seattle as a destination for film and television, which in conjunction with the expanded tax credit and the opening of [King County’s film production facility](#) on Harbor Island in 2021, could benefit the City by creating more film jobs and generating more revenue for businesses directly and indirectly related to film production.

Racial equity

One of the Commission’s goals would be to address the disparities in the film industry that have resulted from systemic racism. A recent report⁴ found that Black talent is underrepresented across the industry nationally, particularly in off-screen positions, and that industry executives continue to be disproportionately white and male. Recognizing this reality, the Commission, in partnership with the City, would endeavor to shift the regional film industry and community so that it is more inclusive and welcoming to Black, Indigenous, and other people of color.

Proposed Amendment

There is one proposed amendment, sponsored by Councilmember Nelson, that would make technical edits and clarifications (Attachment 2).

Nest Steps

If the Committee votes to recommend passage of CB 120412, the City Council could vote on the legislation at its September 20 meeting.

Attachments:

1. Comparison of pre-introduction draft (v1g) to introduced version (v1i)
2. Amendment 1 – Technical Edits and Clarifications

cc: Esther Handy, Director
Aly Pennucci, Deputy Director

⁴ McKinsey & Company, 2021, March 11, “Black representation in film and TV: The challenges and impact of increasing diversity,” retrieved from <https://www.mckinsey.com/featured-insights/diversity-and-inclusion/black-representation-in-film-and-tv-the-challenges-and-impact-of-increasing-diversity>

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to the establishment of the Seattle Film Commission; adding a new Chapter 3.71 to the Seattle Municipal Code; and amending Section 3.14.600 of the Seattle Municipal Code.

..body

WHEREAS, Seattle is one of the most scenically diverse filming locations in the world, having been home to numerous major film productions in a rich history of over 75 years; and

WHEREAS, The City of Seattle (“City”) has long supported the growth of the film industry, small businesses, and film cast and crew; and

WHEREAS, Seattle’s film industry creates high-wage jobs, positive economic development, benefitting small businesses both directly and indirectly related to film production; and

WHEREAS, Seattle’s film industry can support economic recovery by attracting new business that generates jobs, supports Seattle’s small businesses, and brings positive economic growth; and

WHEREAS, Seattle’s film industry contributes to a healthy community and economy by directly creating jobs, and by supporting a wide variety of businesses, and a strong film industry is in the economic, cultural, and educational interest of the region; and

WHEREAS, there is an untapped potential to further enhance the film industry as an economic force in meeting residents’ and visitors’ creative needs; and

WHEREAS, the film industry must continue to evolve ~~and do the unending work of anti-racism~~ by embracing equity, diversity, and inclusion as core values; and

1 WHEREAS, as the film industry cross-collaborates with all other creative industries through
2 workforce and content creation, strategic interventions in the film industry support the
3 advancement of Seattle’s creative industries and ecosystem as a whole; and

4 WHEREAS, in 2020, King County invested in developing Harbor Island Studios, a publicly-
5 accessible, large-scale film production facility that includes two soundstages; and

6 WHEREAS, in 2022, the Washington State Legislature passed and the Governor signed into law
7 House Bill 1914 that increased the State’s annual Business and Occupation Tax credit
8 limit for the Motion Picture Competitiveness Program from \$3.5 million to \$15 million;
9 and

10 WHEREAS, the film industry has brought urgency for the City to work closely with industry and
11 community stakeholders to develop pathways forward for the industry to thrive; and

12 WHEREAS, the City convened a Film Task Force in 2020 to provide recommendations for how
13 best to support and grow the local film industry and community, and the Task Force and
14 community stakeholders identified the creation of a film commission as a priority; and

15 WHEREAS, a film commission will help Seattle to support the work of and align with other
16 jurisdictions so that the region is well-positioned to maximize the benefit of the State’s
17 increased tax credit for the film industry; and

18 WHEREAS, the City Council and Mayor believe it appropriate to have a film commission to
19 advance economic development opportunities related to the film industry and strengthen
20 the value and impact of film production in our city as a dynamic force that generates
21 prosperity – both economically and culturally; NOW, THEREFORE,

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

1 Section 1. Section 3.14.600 of the Seattle Municipal Code, enacted by Ordinance 116457,
2 is amended as follows:

3 **3.14.600 Office established—Functions((s))**

4 There is established within the Executive Department((s)) an Office of Economic Development,
5 under the direction of the Mayor. The functions of the Office shall be as follows:

6 A. To coordinate City policies and programs to support:

- 7 1. A healthy, diversified economy,
8 2. Employers, both large and small,
9 3. Small business creation and expansion,
10 4. The creation and retention of livable-wage jobs in Seattle and the region,
11 5. Expanded employment and training opportunities, especially for low-income

12 individuals, and

13 6. The development and expansion of community-based organizations capable of
14 implementing locally supported development initiatives;

15 B. To administer the City's business loan programs, ~~((including the Neighborhood
16 Business Development Loan Program (Ordinance 116245), Seattle Small Business Lenders
17 Association program (Ordinances 116245 and 116341), Community Development Block Grant
18 float loans (Ordinance 116402), Urban Development Action Grant loans, Washington State
19 Development Loan Fund loans, Southeast Revolving Fund loans (Ordinances 109267 and
20 113991), any other business loan programs not allocated by ordinance))~~ both those assigned to
21 the Office and those not assigned to another department((s)) or office((s, and any other programs
22 or projects allocated to such office by ordinance));

1 C. To provide staff support to the ~~((Board of Directors of The City of Seattle Industrial~~
2 ~~Development Corporation, the))~~ Seattle Music Commission, and the Seattle Film Commission;

3 D. To negotiate and administer contracts with, and City funding of, organizations
4 engaged in business assistance, trade development, economic research, tourism, international
5 trade and the provision of services funded through the Neighborhood Matching Fund; and

6 E. To administer terms and conditions of contracts for transfer of commercial real estate
7 as designated by the Mayor or by ordinance.

8 Section 2. A new Chapter 3.71 is added to the Seattle Municipal Code as follows:

9 **Chapter 3.71 SEATTLE FILM COMMISSION**

10 **3.71.010 Establishment**

11 There is established a Seattle Film Commission (Commission) to advise and make
12 recommendations to The City of Seattle (City) on the development of policies and programs that
13 enhance the economic development of Seattle's film industry, including promoting the
14 sustainable growth of family-wage jobs for workers who have been historically underrepresented
15 in the industry. The goals of the Commission are to:

16 A. Inform and influence the regional film industry and community, in partnership with
17 the City, to address disparities caused by systemic racism, so that Seattle is at the forefront of
18 driving equity, diversity, inclusion, and economic prosperity; and

19 B. Serve as a conduit between the City and the film industry and community to: attract
20 and retain regional, national, and global business; build inclusive pathways into the film
21 industry; and advise on the development of efforts that reinforce and grow the role of film in the
22 region's content and creative industries to advance the City's economic development priorities in
23 the creative economy.

1 **3.71.020 Membership**

2 The Commission shall consist of 11 members representing the myriad interests of Seattle’s film
3 industry and community to offer a diverse cross-section of viewpoints that can effectively
4 address a broad array of concerns.

5 A. In making appointments, the following subgroups shall be represented:

- 6 1. On-screen talent or their representatives (Position 1);
- 7 2. Film industry labor unions (Position 2);
- 8 3. Advertising and creative agencies (Position 3);
- 9 4. Commercial producers or production companies (Position 4);
- 10 5. Film schools, film programs, or film educators (Position 5);
- 11 6. Post-production companies and personnel, such as editors, composers, and
12 post-supervisors (Position 6);
- 13 7. Film production crew, including but not limited to props, sets, wardrobe, make-
14 up, hair, camera, grip, and electric (Position 7);
- 15 8. Film festivals or film content distribution companies (Position 8);
- 16 9. Film location managers (Position 9);
- 17 10. Film organizations belonging to and advocating for communities
18 underrepresented in the film industry (Position 10); and
- 19 11. Immersive technology (such as augmented, extended, mixed, and virtual
20 reality) and emerging technology businesses (Position 11).

21 B. Positions shall be numbered 1 through 11. Members in positions 1 through 5 shall be
22 appointed by the Mayor, members in positions 6 through 10 shall be appointed by the City
23 Council, and the member in position 11 shall be appointed by the Commission after members

1 have been appointed to positions 1 through 10. All members appointed by the Mayor shall be
2 confirmed by the City Council.

3 **3.71.030 Term**

4 A. The initial terms for positions 1, 4, 7, and 10 shall be for one year; initial terms for
5 positions 2, 5, 8, and 11 shall be for two years; and initial terms for positions 3, 6, and 9 shall be
6 for three years. All subsequent terms shall be for three years. No member shall serve more than
7 two consecutive terms.

8 B. Any vacancy in an unexpired term shall be filled in the same manner as the original
9 appointment. If a person is appointed to fill the duration of an unexpired term, then the term shall
10 count as one of the consecutive terms only if the portion of the unexpired term actually served is
11 at least one year. A member whose term is ending may continue on an interim basis as a member
12 with voting rights until such time as a successor for that position has been appointed.

13 **3.71.040 Compensation**

14 Members shall serve without pay, but members may request compensation if participating on the
15 Commission presents a financial hardship. Upon such request, the Director of the Office of
16 Economic Development is authorized to expend funds for this purpose. The compensation shall
17 be based on compensation rates commensurate with other City reimbursement processes.

18 **3.71.050 Duties**

19 The Commission shall act in an advisory capacity and have the following duties:

20 A. Meet monthly, at a minimum. In addition, it shall meet once per year with the Seattle
21 Music Commission.

22 B. Engage with film industry professionals to prioritize industry needs and inform the
23 development of City policies, programs, and initiatives;

1 C. Advise and assist the City in the development of efforts that support and strengthen the
2 film industry, including but not limited to:

3 1. Equity and inclusion strategies to increase access, resources, and
4 opportunities within the film industry for underrepresented groups, such as youth, people of
5 color, people with disabilities, and businesses owned by people of color;

6 2. Education, training, and workforce development strategies to grow the
7 economic and social impact of film production and exhibition in Seattle;

8 3. Strategies to promote Seattle as a premier location for film, television,
9 commercial, video game, animation, visual effects, emerging technology, and immersive
10 technology;

11 4. Improvements to permitting processes and regulations to facilitate film
12 production on public property;

13 5. Incentives to attract and retain film production, businesses, and jobs in
14 Seattle as a premier location for film, television, commercial, video game, animation, visual
15 effects, emerging technology, and immersive technology; and

16 6. Business support strategies to help promote growth, innovation, and wealth-
17 creation opportunities, especially for people who have historically been excluded from such
18 opportunities.

19 D. Collaborate with regional stakeholders and partners to foster alignment with King
20 County and Washington State on policies and initiatives related to the film industry.

21 **3.71.060 Organization**

1 A. Each year, by a majority vote of the Commission, at least one Commission member
2 shall be elected chairperson for a one-year term, and at least one shall be elected vice-
3 chairperson for a one-year term, who shall serve as chair in the absence of a chairperson.

4 B. The Commission shall adopt bylaws, and may establish further rules, for its own
5 procedures. Commissioners are expected to adhere to any bylaws or rules.

6 C. The Commission shall have the power to organize itself, establish committees and
7 subcommittees, and delegate duties for the performance of its work.

DRAFT

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

4 Passed by the City Council the _____ day of _____, 2022,
5 and signed by me in open session in authentication of its passage this _____ day of
6 _____, 2022.

7 _____
8 President _____ of the City Council

9 Approved / returned unsigned / vetoed this _____ day of _____, 2022.

10 _____
11 Bruce A. Harrell, Mayor

12 Filed by me this _____ day of _____, 2022.

13 _____
14 _____, City Clerk

15 (Seal)

Amendment 1 Version 1 to CB 120412 – Seattle Film Commission

Sponsor: Councilmember Nelson
Technical Edits and Clarifications

Effect: This amendment would make technical edits and clarifications. It would clarify that: (1) the Commission’s film industry-specific efforts are intended to advance the City’s broader economic development priorities in the creative economy; (2) the Council will confirm all appointments to the Commission; and (3) the required annual meeting between the Seattle Film Commission and the Seattle Music Commission should focus on identifying economic development priorities and opportunities for collaboration.

Amend Section 2 of CB 120412 as follows:

Section 2. A new Chapter 3.71 is added to the Seattle Municipal Code as follows:

3.71.010 Establishment

There is established a Seattle Film Commission (Commission) to advise and make recommendations to The City of Seattle (City) on the development of policies and programs that enhance the economic development of Seattle’s film industry, including promoting the sustainable growth of family-wage jobs for workers who have been historically underrepresented in the industry. The goals of the Commission are to:

A. Inform and influence the regional film industry and community, in partnership with the City, to address disparities caused by systemic racism, so that Seattle is at the forefront of driving equity, diversity, inclusion, and economic prosperity; and

B. ~~((Serve))~~ Advance the City’s economic development priorities in the creative economy by serving as a conduit between the City and the film industry and community to ~~((=))~~ attract and retain local, regional, national, and global business; build inclusive career pathways into the film industry; and advise on the development of efforts that reinforce and grow the role of film in the

region's content and creative industries (~~(to advance the City's economic development priorities in the creative economy)~~).

3.71.020 Membership

B. Positions shall be numbered 1 through 11. Members in positions 1 through 5 shall be appointed by the Mayor, members in positions 6 through 10 shall be appointed by the City Council, and the member in position 11 shall be appointed by the Commission after members have been appointed to positions 1 through 10. All members appointed by the Mayor and the Commission shall be confirmed by the City Council.

3.71.050 Duties

The Commission shall act in an advisory capacity and have the following duties:

A. Meet monthly, at a minimum. In addition, it shall meet once per year with the Seattle Music Commission to exchange ideas about economic development for each sector and explore opportunities for cross-sector collaboration.

C. Advise and assist the City in the development of efforts that support and strengthen the film industry, including but not limited to:

1. Equity and inclusion strategies to increase access, resources, and opportunities within the film industry for underrepresented groups, such as youth, people of color, people with disabilities, and businesses owned by people of color;

2. Education, training, and workforce development strategies to grow the economic ~~((and social))~~ impact of film production and exhibition in Seattle;
