



16 December 2016

Mayor Ed Murray
P.O. Box 94749
Seattle, WA 98127-4749

Dear Mayor Murray,

The Seattle Arts Commission, The Seattle Music Commission, the Historic Central Area Arts & Cultural District, and the Capitol Hill Arts District mourn the lives that were lost in the tragic Oakland Ghost Ship fire. We are heartbroken and extend our condolences to the loved ones and families of all who were lost. This period of mourning is also a time to support, protect, and help independent cultural spaces in becoming safer. We recognize the critical, life-saving value of these spaces. They are integral to the health of our city, our culture, and our community.

We recognize the urgent need for safe and affordable housing, workspace, and gathering space. As we bear witness to a rash of evictions of warehouses in other cities following the Oakland tragedy, we emphasize that reactionary shutdown of essential community spaces is not an appropriate, sustainable or equitable response. Even when the intention is to protect the public by preventing imminent catastrophe, eviction creates another emergency: the violence of displacement.

We hold ourselves and our fellow public servants accountable to the City's own Race and Social Justice Initiative. In a city that struggles to resolve a housing and homelessness crisis in the midst of a massive construction and population boom, and where many low-income people and spaces have already been displaced, responses to public and individual safety must be driven by a commitment to support and nurture all of our neighbors. Hasty evictions come at the expense of the most vulnerable, whether or not they are artists. Historic precedent shows that abrupt building vacancies have ripple effects throughout their neighborhoods, with some areas unable to recover decades later. Furthermore, displaced people and spaces will reappear elsewhere. Adversarial enforcement merely punishes our communities for their financial inability to improve code compliance. It neither reduces noncompliant space, nor increases safety. Instead, it drives people further underground and further away from our shared goal of improving safety.

The existence of non-permitted, non-code-compliant spaces is in part driven by the economics of space affordability in Seattle, and the fact that code compliance is complicated and expensive. The Mayor has called out a "crisis of affordability" across housing, commercial and cultural space. But for many who inhabit noncompliant spaces, it is not a choice to inhabit or program unsafe space, but a reality driven by economic circumstance. To think of this as a choice is a mistake allowed by economic privilege. While many would indeed choose to live, work and gather in *non-traditional* venues regardless of their financial situations, it is the *safety* component that is too often inhibited by limited access to money. Venues are not "safe" or "unsafe" - they are more and less safe along a spectrum. Thinking of safety as a spectrum, instead of a binary state, will bring our efforts to ensure safety in line with the world around us.

Seattle is in a position to lead a national conversation around constructive engagement with communities that rely on precarious spaces by modeling a protocol of inclusiveness and support instead of adversarial enforcement. We can reach out, assist, educate, and leverage investment in a cultural community in need of both immediate life safety improvement and long-term stability.

We take pride in our identity as a global center of culture. Our music, arts and athletics draw admirers from all over the world to live, work, and visit. We can leverage our commitment to the arts by working to help all spaces become safer, regardless of their financial resources or legal status. No one should have to choose between safety and affordability. As we have said before, "*The arts hold the power to capture, nourish and move us. They serve as a vehicle for radical social change, and are an effective strategy to address the pressing issues of our time.*" DIY, independent spaces are woven into the fabric of the arts ecosystem. They are safe havens for many of our marginalized neighbors, as evidenced by the youth, transgender



people, and people of color who perished in Oakland. These venues are a precious, non-renewable resource that, with collaboration and support, can be made safer.

We stand in solidarity to support and protect all Seattleites who depend on vulnerable housing, work, and gathering spaces - including but not limited to artists, performers, and cultural spaces. In honor of those who perished in Oakland, we commit to preserving and improving the spaces that allow our creative, passionate community members to thrive. Our recognition of the challenges related to safe, affordable cultural space in Seattle and other cities is accompanied by our interest in solutions. To that end, recommendations for your consideration are included here.

If you have any questions or would like to know more about the Seattle Arts Commission, the Seattle Music Commission, the Historic Central Area Arts and Cultural District, and the Capitol Hill Arts District in relation to our commitment to equity and the preservation of arts and cultural space, we invite further conversation. Our direct conduit for such is the Office of Arts and Culture at 206.684.7171 and Arts.Culture@Seattle.gov.

Sincerely,

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RECOMMENDATIONS:

1. All who are in a position to affect precarious spaces, including the City, public officials, code compliance enforcement, fire safety enforcement, law enforcement, real estate developers, and individual building owners and landlords, should **activate the RSJI Toolkit to analyze and guide all enforcement plans** and determine if the impacts of venue closure and code enforcement would disproportionately affect communities of color, low-income communities, LGBTQI+ communities, and youth. The results will determine solutions that support making our buildings and spaces safer while also remaining, or becoming, affordable and accessible.
2. **Allow the Seattle Fire Marshal's Office to engage with venues and producers who do not meet the minimum requirements of Seattle Fire Code.** Their advice could save lives. Currently the SFMO can only advise venues to meet full code compliance. Allowing them to help venues improve incrementally will make these spaces safer. Empowering venues to become safer incrementally without fear or recrimination, including by coming to the City for support, will increase the overall safety of the public. Protocol should be modeled on Safe Haven Laws that protect those hoping to keep people safe, even if it means breaking other rules.
3. Seattle Department of Construction & Inspections (SDCI) and Seattle Fire Department (SFD) could **create a shared grading system to rate life safety at venues**, analogous to the restaurant Health Code rating system in use in Los Angeles. Such a system provides an alternative for forced closure for any venue scoring above a certain level (a "D" for example). This offers members of the public the opportunity to make informed choices and to give consent, while also granting the autonomy to make decisions about personal safety.
4. Currently the Office of Arts & Culture (ARTS) administers the Cultural Facilities Fund, which grants awards of up to \$50,000 for culturally-based capital projects at nonprofit cultural spaces. Of the \$500,000 dedicated towards the Fund in 2017, **we recommend that ARTS earmark at least \$100,000 specifically aimed at life safety improvements; further, we recommend that the eligibility requirements for this funding be amended to include "underground" venues in addition to incorporated nonprofits**, again, with the protection of a Safe Haven-type rule.
5. Again through its Cultural Facilities Fund, in collaboration with the Fire Marshal's Office, we recommend that ARTS **fund the creation of "safe production boxes"** – literal boxes that contain battery backup exit signs, fire extinguishers, bullhorns, flashlights, fire retardant liquid, first aid kits, naloxone, and other safety and harm reduction items that venues and independent producers can pick up, free of charge and without recrimination.
6. We recommend that ARTS **dedicate further resources to ongoing, free-of-charge educational opportunities in safety and preparedness for artists, performers, event hosts, and venues.** In 2016, the Office of Arts & Culture led the way nationally by hosting a series of "Active Shooter Trainings" for arts presenters. The success and popularity of this series led to more workshops around preparedness and safety in the arts, co-hosted with a local arts venue. Further classes and workshops could address subjects like fire and earthquake preparedness, evacuation, medical emergency response, harm reduction, first aid, and CPR.
7. **The City could create an in-kind construction grant to help bring venues into life safety compliance**, in partnership with a supportive developer, to be juried by the City and administered by the developer. SDCI could contribute waived permit fees, ARTS' Cultural Facilities Fund could contribute material costs, and the developer/contractor could contribute the labor and management expertise.
8. We recommend the formation of an inter-departmental task force to **develop an "Arts Events License"** proposal based on the successful model for pop-up events recently adopted in Vancouver, BC. Relevant departments include: Department of Construction and Inspections; Seattle Fire Department; Office of Arts & Culture; Office of Film and Music; and the Special Events Office (ideally with close consultation of the WA Liquor and Cannabis Control Board). There are many events and venues currently operating without requisite documentation due to the complexity, confusion, and expense of the various permits, licenses, etc. that may be required for an event. An accessible, transparent "one application, one desk, one license, and one reduced fee" alternative to the current patchwork of permits, departments, regulations and processes would facilitate compliance and increase safety.