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11/27/95

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Introduced By:

Proposed No.:

96 - 024

ORDINANCE NO. **12089**

AN ORDINANCE establishing a Public Art Program and a Public Art Commission, establishing a new K.C.C. 2.46 entitled "Public Art Program and Public Art Commission"; amending Ordinance 9134, Sections 7 and 13, as amended, Ordinance 6111, Section 8, as amended, Ordinance 8300, Sections 1 and 7, and K.C.C. 4.40.060, K.C.C. 4.40.110, K.C.C. 4.40.120, K.C.C. 2.48.020, and K.C.C. 2.48.120; and repealing Ordinance No. 11032, Section 22, Ordinance 9134, Sections 2, 3, 4, 5, as amended, 6, 8, as amended, 9, and 10, as amended, Ordinance 6111, Sections 6, and 9, as amended, and K.C.C. 4.40.010 through K.C.C. 4.40.050, K.C.C. 4.40.070 through K.C.C. 4.40.100, K.C.C. 4.40.130, and K.C.C. 28.32.010 through K.C.C. 28.32.140.

PREAMBLE:

1. King County and King County's department of metropolitan services have adopted ordinances and regulations that set aside a percentage of appropriations for public art in construction projects.
2. The ordinances and regulations establish policies that reflect a long-standing interest in and support for public art within King County.
3. The King County Arts Commission 1% for Art Program currently provides opportunities for citizens of King County to experience and participate in the cultural and artistic legacy of this region by including works of art in public places and in designated county construction projects. The King County Arts Commission is responsible for including art in county projects other than transit and water quality facilities.
4. Department of metropolitan services Arts Program (formerly "Metro Arts Program") is currently responsible for integrating the work and thinking of artists into planning and building of the county's transit and water pollution control facilities.
5. The King County Arts Commission 1% for Art Program and the Arts Program for King County department of metropolitan services have compatible and complementary purposes and responsibilities. These programs should be combined to promote efficiencies within the government and to effectively build upon their respective successes and experience.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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1 SECTION 1. Ordinance 6111, Sections 6 and 9, as amended, Ordinance 9134,
2 Sections 2, 3, 5, as amended, 6, 8, as amended, 9 and 10, as amended, Ordinance No.
3 11032, Section 22, and K.C.C. 4.40.010 through K.C.C. 4.40.050, K.C.C. 4.40.070
4 through K.C.C. 4.40.100, K.C.C. 4.40.130, and K.C.C. 28.32.010 through
5 K.C.C. 28.32.140 are hereby repealed.

6 NEW SECTION. SECTION 2. **K.C.C. 2.46 established.** K.C.C. 2.46 entitled
7 “Public Art Program and Public Art Commission” is hereby established.

8 NEW SECTION. SECTION 3. There is added to K.C.C. 2.46 a new section to read
9 as follows:

10 **Establishment of Public Art Program.** There is hereby established, within the
11 cultural resources division of the parks and cultural resources department, a Public Art
12 Program which shall include the 1% for Art Program and the arts programs for the
13 metropolitan functions of public transportation and water pollution abatement. The Public
14 Art Program will ensure that the work, thinking, creative skills, and unique perspectives of
15 artists are included in the planning, design and construction of county property, facilities,
16 and public spaces.

17 NEW SECTION. SECTION 4. There is added to K.C.C. 2.46 a new section to read
18 as follows:

19 **Purpose of the Public Art Program.** It is the intention of the county to contribute
20 to the cultural and artistic legacy of this region by establishing a Public Art Program. The
21 purposes of the program include the following:

- 22 A. Integrate the work and thinking of artists into the planning, design and
23 construction of county facilities, buildings and public spaces;
- 24 B. Enhance and enrich the county's physical environment and public spaces;
- 25 C. Celebrate the multi-cultural and diverse character of its communities;
- 26 D. Contribute a sense of ownership and pride in public facilities and spaces to county
27 citizens;
- 28 E. Mitigate potential adverse impacts of construction;
- 29 F. Engage the citizens and communities of the county in creative partnerships with
30 artists; and

1 G. Support, educate and assist citizens with their community activities in which
2 public art plays a part.

3 NEW SECTION. SECTION 5. There is added to K.C.C. 2.46 a new section to read
4 as follows:

5 **Definitions.** All words shall have their ordinary and usual meanings except those
6 defined in this section which shall have, in addition, the following meanings. In the event of
7 conflict, the specific definitions set forth in this section shall presumptively, but not
8 conclusively, prevail.

9 A. "Acquisition or county force acquisition" means the purchase of parcels of land,
10 existing buildings, and structures, and costs incurred by the county for the appraisals or
11 negotiations in connection with such purchase.

12 B. "Arts selection panel" means a group of individuals, including artists, art and
13 design professionals and non-artist citizen representatives established by the Public Art
14 Commission to select artists to provide works or services to the county.

15 C. "Client department" means the department or division responsible for construction
16 or custodial management of a facility or CIP project after construction is complete.

17 D. "Commission" means the King County Public Art Commission.

18 E. "Commissioner" means an individual appointed to serve on the Public Art
19 Commission.

20 F. "Council" means the King County Council.

21 G. "County" means King County.

22 H. "County construction project" means any project paid for by funds appropriated
23 by the county, to construct, remodel or maintain any building, decorative or
24 commemorative structure, park, trail or pathway, vehicular or pedestrian bridge,
25 metropolitan public transportation facility, metropolitan water pollution abatement facility,
26 surface water management project, solid waste transfer station, or any portion thereof,
27 within the jurisdiction of the county.

28 I. "Cultural coordinating council" means the seven-member advisory body composed
29 of one ex officio non-voting representative from the council and the chairs and vice-chairs

1 of the Public Art Commission, the King County Arts Commission, and the King County
2 Landmarks and Heritage Commission.

3 J. "Equipment and furnishings" shall mean any equipment or furnishings that are
4 portable and of standard manufacture. "Equipment" shall not mean items that are custom
5 designed or that create a new use for the facility, whether portable or affixed.

6 K. "Executive" means the county executive.

7 L. "One percent for Art" or "1% for Art" means the program authorized in
8 Ordinance 6111 and K.C.C. 4.40.010 through 4.40.090 under which one percent of
9 construction budgets of certain county public works is allocated and set aside for works of
10 art. This program is replaced by the Public Art Program which will apply to all county
11 departments.

12 M. "Public Art Commission" means the nine-member body composed of county
13 residents appointed by the executive and confirmed by the council which advises the
14 executive and council regarding the Public Art Program and policies that guide the
15 program.

16 N. "Public Art Fund" means the fund that is allocated by the council pursuant to
17 K.C.C. 2.48.120 and K.C.C. 4.04.010 through 4.04.090, as amended, to implement the
18 programs and policies described in this ordinance. The "Public Art Fund" shall be the new
19 name for the "1% for Art Fund".

20 O. "Public Art Program" means the program staffed by the cultural resources
21 division that includes the works and thinking of artists in the planning, design, and
22 construction of facilities, buildings, and public spaces to enhance the physical environment,
23 mitigate the impacts of county construction projects, and enrich the lives of county residents
24 through increased opportunities to interact with art.

25 P. "Public space" is any place or property within the county which is open to the
26 general public for its use, or which is in public view, or is generally accessible to the public.

27 NEW SECTION. SECTION 6. There is added to K.C.C. 2.46 a new section to read
28 as follows:

29 **Public Art Commission.** There is hereby created a Public Art Commission.

1 A. Commission Structure. The Public Art Commission is an advisory body with nine
2 appointed commissioners. The chair and the vice-chair of the commission shall be elected
3 annually by the members of the commission and shall serve on the Cultural Coordinating
4 Council.

5 B. Appointment. The executive shall appoint nine Public Art Commissioners, which
6 appointments shall be subject to confirmation by the council. Commissioners shall be
7 conversant with public art and be experienced with community issues and concerns.
8 Commissioners will be sought from a range of professions including professional artists,
9 architects, landscape architects, arts administrators, urban planners and designers,
10 community arts activists as well as business professions and others. The commission
11 membership will reflect the cultural diversity within the county. The county Code of Ethics
12 provisions apply to all commissioners.

13 C. Commission Terms. Public Art Commissioners will be appointed to three-year
14 terms, effective on January 1, on a rotational basis with approximately one-third of the
15 membership changing every year. For the initial commission, three members will be
16 appointed for a one-year term, three members will be appointed for a two-year term, and
17 three members will be appointed for a three-year term. Commissioners will serve without
18 compensation and may be re-appointed for one additional three-year consecutive term.

19 D. Commission Responsibilities. The Public Art Commission shall be responsible for
20 advising the executive and the council regarding the Public Art Program, developing
21 policies to guide the Public Art Program, identifying projects that can benefit from artists'
22 involvement, selecting and commissioning artists, serving as the adjudicating body to
23 resolve disputes involving aesthetic judgment relative to the county's artwork, providing
24 oversight for the maintenance of public artwork after the work is in place, and development
25 of the annual program plan.

26 E. Meeting procedures - Election of Officers. The commission will establish its own
27 procedures and may appoint subcommittees to make decisions and report to the
28 commission.

1 F. Public meetings. The commission shall hold regular meetings at least monthly.
 2 All meetings of the commission shall be advertised and conducted in the manner set forth in
 3 chapter 42.30 RCW, as such may be amended from time to time.

4 G. Adoption of rules - recordkeeping. The commission shall adopt rules for the
 5 transaction of its business in accordance K.C.C. 2.98. The commission shall keep minutes
 6 of its regular public meetings and records of all official actions. Such rules, minutes, and
 7 records of official actions shall be filed in the office of the commission and shall be open to
 8 the public to the extent required by state and county law, including chapter 42.17 RCW,
 9 relating to public records, as such act may be amended from time to time.

10 NEW SECTION. SECTION 7. There is added to K.C.C. 2.46 a new section to read
 11 as follows:

12 **Artists' Involvement in Public Art Program.** It is the intent of the council to
 13 involve artists at the earliest appropriate project stage. The commission will establish the
 14 artist selection process and, in collaboration with the client department, define the scope of
 15 work on a case-by-case basis. The county will include artists in a broad range of projects
 16 including:

17 A. Planning. Artists may be selected to assist in the evaluation of options, strategies,
 18 limitations and opportunities for art and aesthetic design in capital projects *before* the
 19 scope, quality, schedule, and budget are fixed.

20 B. Collaboration with project design team. Artists may be selected as consultants on
 21 construction or project work in which the creation, documentation, and construction of the
 22 project is collaboratively developed with the county's project managers, design team, and
 23 the community with the goal of improving the aesthetics of the entire project.

24 C. Site specific artwork. Artists may be selected to design artwork for a specific
 25 location.

26 D. Individual works of art. Artists may be commissioned to create a work of art, or
 27 existing works of art may be purchased.

28 NEW SECTION. SECTION 8. There is added to K.C.C. 2.46 a new section to read
 29 as follows:

1 **Selecting Artists.** Artists shall be selected to participate in the county's Public Art
2 Program through one of the following ways:

3 A. Open competition. The commission or designated art selection panel may solicit
4 through public advertisement requests for artists' slides, resumes, and letters of interest.
5 The commission or designee will review submittals and recommend an artist that meets the
6 commission's requirements.

7 B. Invitational or Limited Competition. The commission or designated art selection
8 panel may invite a limited number of artists to submit applications or prepare proposals.
9 From this limited pool, the commission or designee may recommend an artist based upon
10 established criteria.

11 NEW SECTION. SECTION 9. There is added to K.C.C. 2.46 a new section to read
12 as follows:

13 **Funding, Appropriations, Opportunities for Pooling Funds, and Use of Funds.**

14 Appropriation of funds to support the Public Art Program shall be made to the Public Art Fund
15 annually consistent with the county's six-year Capital Improvement Program (CIP) plan.

16 A. Funding Basis. All capital improvement projects which are publicly accessible and
17 visible, or for which there is a need for mitigation, will contribute to the county's Public Art
18 Program.

19 1. Calculation Base. The amount of the annual appropriation for art shall be equal to
20 one percent of the eligible project costs of those capital improvement projects which meet the
21 criteria of public visibility and accessibility or need for mitigation. For the purposes of
22 calculation, eligible project categories shall include CIP projects for new construction,
23 reconstruction or remodeling of buildings, parks and trails, commemorative structures,
24 pedestrian and vehicular bridges, surface water management projects, metropolitan water
25 pollution abatement projects, metropolitan public transportation facility construction projects,
26 and solid waste transfer stations.

27 2. The following project categories shall be considered ineligible and may be excluded
28 from the Public Art Program calculation base: roads and airport runways, sewers, and solid
29 waste landfills. This ineligibility shall not preclude a client department, in cooperation with the

1 Public Art Commission, from proposing a public art project for a road, airport runway, sewer, or
2 solid waste landfill project which presents an opportunity for the inclusion of public art.

3 3. At a minimum, the amount budgeted for art in a capital improvement project shall
4 be equal to one percent of the following project elements: Consultant Design; Construction;
5 Contingency; County Force Design; and County Force Administration. Costs associated with
6 the pre-design phase of the county's capital planning project meeting the above criteria and
7 anticipated to result in construction, shall be included in the calculation for public art

8 4. The following project elements may be excluded from the budget calculation for
9 art: Acquisition; Equipment and Furnishings; and County Force Acquisition. Asbestos
10 abatement may also be excluded from the budget calculation for art when the cost for asbestos
11 abatement has been calculated and a line item budgeted expense for asbestos abatement as been
12 established within the project budget.

13 5. In all cases, where a capital improvement project has a scope of work that includes
14 both eligible and ineligible project elements and eligible and ineligible project categories, the
15 budget for art shall be calculated, at a minimum, in the eligible portions of the project.

16 B. Appropriation. At the time a capital improvement project is proposed, the client
17 department shall calculate and include a budgeted line item for art in each eligible project as
18 described in Section 9.A.1 of this ordinance. The executive's budget representative shall confirm
19 the calculations with the Public Art Commission and include the agreed upon appropriations for
20 art in the executive's proposed budget. The amounts budgeted for art in particular projects may
21 be adjusted to reflect council changes to the county CIP budget or supplemental budgets. Fund
22 transfers to the Public Art Fund will occur as soon as the appropriation is made for the capital
23 improvement project, and as soon as funds are available.

24 C. Restricted Grant Funds. The source of the funds shall not affect the calculation for
25 public art for a capital improvement project unless the conditions under which the revenue is
26 made available prevent its use for artistic purposes. If this is the case, then these amounts shall
27 be excluded from the eligible funds on which the one percent calculation for art is based.
28 However, at the client department's discretion, other non-restricted funds may be used to add
29 public art as appropriate within the project budget.

1 D. Pooling funds. A policy is hereby established to direct the transfer and pooling of all
2 Public Art Program monies on a departmental basis within the "Public Art Fund," which renames
3 the "1% for Art Fund," or a Public Art fund subfund within the appropriate enterprise funds.
4 The transfer appropriations from various capital improvement projects shall be pooled in
5 departmental subfunds within the Public Art Fund. All interest generated by departmental
6 subfunds and Public Art Fund subfunds within enterprise funds shall be pooled within the Public
7 Art fund and used for purposes consistent with the Public Art Program and the Charter. A
8 percentage of all public art program monies including all departmental subfunds and Public Art
9 Fund subfunds within enterprise funds shall be used to support stewardship and maintenance of
10 the county's public art collection and the administrative costs of the Public Art Program.

11 Pooling affords the opportunity to look at the needs of the county as a whole and use the
12 art monies only in those projects which may have the greatest impact on communities or offer
13 the best opportunities for artist involvement. Pooling on a departmental or within enterprise
14 funds basis affords the opportunity for the Public Art Commission and client departments to
15 work collaboratively on projects which reflect the missions and goals of individual departments
16 and to ensure that art projects are adequately funded. It is not the executive's or council's intent
17 that every capital improvement project which contributes to the Public Art Fund shall include an
18 art project. The decision regarding which capital improvement projects will include an art
19 project will be determined jointly by the Public Art Commission and the client department
20 according to the protocol described in Section 10 of this ordinance.

21 E. Appropriate use of program funds. The Public Art Fund shall support the
22 following uses:

- 23 1. The selection, acquisition and display of works of art, which may be an
24 integral part of the project, or placed in, on or about the project or other public space.
- 25 2. Artist fees, design, planning and predesign service contracts and commissions.
- 26 3. Expenses for technical assistance provided by architects and/or engineers to
27 artists, in order to design, document and/or certify the artwork.
- 28 4. Repair and maintenance of county public artworks funded by the Public Art
29 Fund or its predecessors.

1 5. Public Art Program administrative expenses, relating to acquiring, developing,
2 or maintaining public art.

3 6. Participation by citizens or costs of communicating with and receiving input
4 from citizens, working with professional artists, introduction of public art to children, and
5 education of the public about the county's rich cultural and artistic heritage.

6 7. Documentation and public education material for the Public Art Program.

7 8. Liability insurance for artists.

8 9. Pilot projects for the Public Art Commission.

9 F. Distribution of funds. Following approval of the annual budget and annual Public
10 Art Fund appropriation by the council, the Public Art Commission in cooperation with the
11 client department(s) shall submit a Public Art Program plan which describes the art projects
12 to be initiated from the fund, the budget recommended for each art project, and any special
13 projects categories to allow for program flexibility and responsiveness. The program plan
14 shall be transmitted by the executive to the council in sufficient time to be reviewed by the
15 council and for spending authority to be approved by the first month of the new fiscal year.

16 G. Contract and spending authority. Approval of the Public Art Program plan by
17 the council will constitute approval for the executive to enter into contracts for services or
18 purchases necessary to carry out the stated policies and implement the Public Art Program.

19 NEW SECTION. SECTION 10. There is added to K.C.C. 2.46 a new section to
20 read as follows:

21 **Annual Plan.** A. Development of the Public Art Program plan. Development of the
22 annual plan, determination of project budgets and identification of opportunities for public
23 art shall be done by the Public Art Program staff and the Public Art Commission working in
24 partnership with county departments and citizens. The following management protocol
25 shall apply:

26 1. On an annual basis, each client department will develop a prioritized list of
27 those capital improvement projects which are the most appropriate for inclusion of public
28 art. In making the determination departments will use the following criteria: high public
29 visibility and accessibility, and need for mitigation.

1 2. On an annual basis, the client department(s) will submit the list of the
2 prioritized projects to the Public Art Commission for review and comment at the time the
3 department's CIP budget is submitted to the executive. The client department's director
4 shall meet with the Public Art Commission to discuss the prioritized projects, and the
5 possibilities for artist involvement.

6 3. Once certain projects have been identified to include an art project, the Public
7 Art Commission and the client department will collaboratively define the scope of the
8 artist's involvement, the art project budget, project development schedule and the
9 architectural/engineering team's responsibilities in working with the art project.

10 4. The Public Art Commission shall establish an art committee to include facility
11 users and client department management to work closely with the artist during development
12 of each art project. The Public Art Commission shall establish a jury to select the artists.
13 All juries shall include "community members" (residents and facility users from the art
14 committee) and will be advised by the client department regarding the technical parameters
15 of the project and the agency's goals during the selection process. A/E consultants (if
16 already hired) shall also serve as advisors to the jury.

17 NEW SECTION. SECTION 11. There is added to K.C.C. 2.46 a new section to
18 read as follows:

19 **Authority to accept donations.** The county may receive offers of donations of
20 artwork or funds for public art. Potential donors will be referred to the Public Art
21 Commission to discuss the nature of the gift and procedures for review and approval. The
22 Public Art Commission will review the proposal and recommend consideration or rejection
23 of the offer, and make a site recommendation where applicable. Financial gifts, bequests,
24 and donations accepted by the commission will be approved by council motion consistent
25 with K.C.C. 2.80.010, and credited to the Miscellaneous Agency Fund or special fund with
26 the Public Art Program if deemed appropriate. Donated funds will be accounted for
27 individually as required by K.C.C. 2.80.020 and may be administered by the manager of the
28 cultural resources department or designee, without further appropriation, consistent with
29 the donor's restrictions and direction from the commission.

1 NEW SECTION. SECTION 12. There is added to K.C.C. 2.46 a new section to
2 read as follows:

3 **Inclusion of public art requirements in grants to other agencies.** CIP funds that
4 are distributed by the county to another agency for an eligible capital improvement project
5 with an estimated construction budget of \$250,000 or more shall include a requirement for
6 inclusion of public art. The public art shall be identified by the receiving agency, and
7 evaluated by the commission during the planning process to assure compliance with this
8 section.

9 NEW SECTION. SECTION 13. There is added to K.C.C. 2.46 a new section to
10 read as follows:

11 **Severability.** If any section, subsection, sentence, clause, chapter, provision, or
12 phrase of this chapter or its application to any person or circumstance is found to be
13 unconstitutional or invalid by a court of competent jurisdiction, such decision shall not
14 affect the validity of the remainder of the chapter or the application or the provisions to
15 other persons or circumstances.

16 SECTION 14. Ordinance 9134, Section 7, and K.C.C. 4.40.060 are each hereby
17 amended to read as follows:

18 **Multi-cultural art.** King County is committed to participation by multi-cultural and
19 ethnic artists in public art. Therefore, the Arts Commission ~~((is directed to make a~~
20 ~~conscious effort to better represent multi-cultural and ethnic artists by))~~ will:

21 1. ~~Ensur((ing))e~~ that juries and commissioned artists reflect the ethnic diversity of
22 the population of King County; and

23 2. ~~Support((ing)) and develop((ing))~~ projects that create opportunities for multi-
24 cultural and ethnic artists. ~~((by increasing the number of commissions for the services of~~
25 ~~multi-cultural and ethnic artists, and placing a high priority on acquiring art work by multi-~~
26 ~~cultural and ethnic artists. The Arts Commission is directed to prepare a plan to comply~~
27 ~~with these objectives, which shall be submitted to the council for review and approval no~~
28 ~~later than January 1990.))~~

29 3. Offer programs to provide mentorships and technical assistance to multi-
30 cultural and ethnic artists.

1 SECTION 15. Ordinance 6111, Section 8, as amended, and K.C.C. 4.40.110 are
2 each hereby amended to read as follows:

3 **General obligation bond proceeds.** In the case of any county construction project
4 which involves the use of General Obligation Bond proceeds, ~~((amounts for works of art~~
5 ~~described in this chapter shall be used for projects and capital purposes consistent with the~~
6 ~~resolution(s) or ordinance(s) approved by the voters or the county council.)) the
7 resolution(s) or ordinance(s) submitted to the voters or the council shall include an
8 allocation for public art equal to ((1%)) one percent of the eligible project cost. Bond
9 proceeds shall be accounted for ~~((within the respective bond funds or))~~ separately within
10 the ~~((1% for Art))~~ Public Art Fund ~~((whichever))~~ if ((is)) necessary to comply with these
11 requirements.~~

12 SECTION 16. Ordinance 9134 Section 13, as amended, and K.C.C. 4.40.120 are
13 hereby amended to read as follows:

14 **Harborview Medical Center capital reserves.** For any ~~((1% for Art))~~ Public Art
15 funds which involve the use of Harborview Medical Center's capital reserves (Fund 396),
16 amounts for works of art described in this chapter shall be used for art projects at
17 Harborview Medical Center. These funds ~~((may be accounted for within Fund 396 or))~~
18 shall be accounted for separately within the ~~((1% for Art))~~ Public Art Fund if necessary to
19 comply with this requirement.

20 SECTION 17. Ordinance 8300, Section 1, and K.C.C. 2.48.020 are hereby amended
21 to read as follows:

22 **Definitions.** A. "Arts Selection Panels" or "Juries" means a group of individuals,
23 including independent arts professionals and non-artists citizen representatives established
24 by the arts commission to select literary, media, performing, or visual artists for the
25 purchase of services.

26 B. "Arts Gift Trust Account" means the fund established in ~~((Section))~~
27 K.C.C. 2.48.110 ~~((of this chapter)).~~

28 C. "Arts Programs" means the community, literary, performing, visual, and other arts
29 programs of the commission, the component parts of which are specified by the
30 commission.

- 1 D. "Commission" means the King County Arts Commission.
- 2 E. "Commissioner" means an individual appointed to serve on the commission, as
3 described in ~~((Section))~~ K.C.C. 2.48.040 ~~((of this chapter))~~.
- 4 F. "Council" means the King County council.
- 5 G. "County" means King County.
- 6 H. "Director" means the director of the county parks~~((, planning))~~ and cultural
7 resources department.
- 8 I. "Donor" means a private or nonprofit organization or individual who gives monies
9 or in-kind donations to the commission to be used for the purposes authorized in this
10 ordinance.
- 11 J. "Executive" means the county executive.
- 12 K. "Executive Director" means the executive director of the arts commission who is
13 the manager of the cultural resources division of the county parks~~((, planning))~~ and cultural
14 resources department.
- 15 L. "Exempt Employee" means an employee who is exempt from the provisions of the
16 county career service plan.
- 17 M. "Fiscal Year" means the year beginning January 1 or any other fiscal year duly
18 adopted by the county.
- 19 N. "Individual Artist" means an artist acting individually and independently without
20 affiliation to or with another individual, group, or organization.
- 21 O. "Law" means federal, state, and/or county law.
- 22 P. "Local Arts Commission" means any of the arts commissions and/or councils
23 which are established by, and function under aegis of, any local government body within the
24 county.
- 25 Q. "Manager" means the manager of the cultural resources division of the county
26 parks~~((, planning))~~ and cultural resources department, who also serves as executive
27 director of the commission.
- 28 R. "Officers of the Commission" means the commissioners duly elected by the
29 commission from time to time to serve as its officers.

1 S. (~~"One percent for Art" means the program authorized in Ordinance 6111 and~~
 2 ~~K.C.C. 4.40.010 through 4.40.090 which allocates one percent of construction budgets of~~
 3 ~~certain public works of the county to be set aside for works of arts.~~

4 T.)) "Public Site" is any location within the county which is open to the general
 5 public for its use or which is in public view.

6 SECTION 18. Ordinance 8300, Section 7, and K.C.C. 2.48.120 are each hereby
 7 amended to read as follows:

8 Allocation of commission funds. A. Procedures.

9 1. The commission is authorized to award funds received by it from public and
 10 private sources to purchase art, arts programs, and/or arts services from organizations,
 11 individual artists, arts service and liaison organizations, as well as arts programs within
 12 other types of organizations.

13 2. The commission shall establish rules and regulations governing procedures
 14 whereby a person or organizations may apply for money pursuant to this section. Such
 15 rules shall be filed as part of the rules of the commission, adopted pursuant to K.C.C.
 16 2.48.070 B. within six months of its effective date. Distribution of awards shall be made in
 17 accordance with funding criteria developed by the commission and filed as part of their rules
 18 under K.C.C. 2.48.070 B.

19 B. Sources of funds. Funds which are subject to allocation by the commission
 20 pursuant to this chapter shall include the amounts appropriated to the commission for arts
 21 programs within the county annual budget, grants from public and private sources, ((the
 22 county's one percent for the arts program pursuant to ~~K.C.C. 4.04.010 through 4.04.090,~~))
 23 and financial gifts, bequests, and/or donations to the arts commission deposited in the arts
 24 gift trust account.

25 C. Appeals. The commission shall specify, in the rules adopted pursuant to K.C.C.
 26 2.48.070 B., the process by which commission funding allocation decisions may be
 27 appealed.

28 SECTION 19. Effective date. This ordinance shall take effect on January 1, 1996.

29 SECTION 20. Severability. The provisions of this ordinance shall be effective in all
 30 cases unless otherwise provided by ((state or)) federal law. The provisions of this

1 ordinance are separate and severable. The invalidity of any clause, sentence, paragraph,
2 subdivision, section or other portion of this ordinance or the invalidity of the application
3 thereof to any person or circumstance shall not affect the validity of the remainder of this
4 ordinance or the validity of the application to other persons or circumstances.

5 SECTION 21. Continuation of ordinances. The provisions of this ordinance, so
6 far as they are substantially the same as those of ordinances existing at the time of the
7 enactment of this ordinance, shall be construed as continuations thereof.

8 INTRODUCED AND READ for the first time this 11th day of
9 December, 1995

10 PASSED by a vote of 13 to 0 this 19 day of December,
11 1995.

12 KING COUNTY COUNCIL
13 KING COUNTY, WASHINGTON

14 Kent Pullen
15 Chair

16 ATTEST:

17 Gerald A. Peterson
18 Clerk of the Council

19 APPROVED this 21st day of December, 1995

20 Jay Locke
21 King County Executive

22 Attachments:
23 None