

December 3, 1997

Introduced By:

Greg Nickels

Larry Phillips

Proposed No.:

96-922

ORDINANCE NO.

12945

AN ORDINANCE relating to the structure of the King County Arts Commission, and amending Ordinance 8300, Sections 2 through 7 and K.C.C. 2.48.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 8300, Section 2, and K.C.C. 2.48.020 are hereby amended to read as follows:

Definitions. A. "Arts Selection Panels" or "Juries" means a group of individuals, including independent arts professionals and non-artist(~~s~~) citizen representatives established by the arts commission to select literary, media, performing(~~, or~~) visual artists or arts organizations for the purchase of services.

B. "Arts Gift Trust Account" means the fund established in K.C.C. 2.48.110.

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

D. "Commission" means the King County Arts Commission.

E. "Commissioner" means an individual appointed to serve on the commission, as described in K.C.C. 2.48.040.

F. "Coordinator" means the person assigned by the manager of the office of cultural resources.

~~(F.)~~ G. "Council" means the King County council.

~~(G.)~~ H. "County" means King County.

1 ~~((H. "Director" means the director of the county parks and cultural and resources~~
2 ~~department.))~~

3 I. "Donor" means a private or nonprofit organization or individual who gives
4 monies or in-kind donations to the commission to be used for the purposes authorized in this
5 chapter.

6 J. "Executive" means the county executive.

7 ~~((K. "Executive Director" means the executive director of the art commission who is the~~
8 ~~manager of the cultural resources division of the county parks, cultural and natural resources~~
9 ~~department.))~~

10 ~~((L.))~~ K. "Exempt Employee" means an employee who is exempt from the
11 provisions of the county career service plan.

12 ~~((M.))~~ L. "Fiscal Year" means the year beginning January 1 or any other fiscal year duly
13 adopted by the county.

14 ~~((N.))~~ M. "Individual Artist" means an artist acting individually and independently without
15 affiliation to or with another individual, group~~((s.))~~ or organization.

16 ~~((O.))~~ N. "Law" means federal, state, and/or county law.

17 ~~((P.))~~ O. "Local Arts Commission" means any of the arts commissions and/or councils
18 which are established by, and function under aegis of, any local government body within the
19 county.

20 ~~((Q.))~~ P. "Manager" means the manager of the office of cultural resources ~~((division of the~~
21 ~~county parks and cultural resources department, who also serves as executive director of the~~
22 ~~commission)).~~

23 ~~((R.))~~ Q. "Officers of the Commission" means the commissioners duly elected by the
24 commission from time to time to serve as its officers.

25 ~~((S. "Public Site" is any location within the county which is open to the general public for~~
26 ~~its use or which is in public view.))~~

27 SECTION 2. Ordinance 8300, Section 3, and K.C.C. 2.48.030 are hereby amended to read
28 as follows:

29 **Policy.** It is the policy of King County to foster the excellence, vitality, and diversity of the
30 arts in the county, to make available to all citizens of the county, greater opportunities through
31 which to develop understanding and appreciation of the wide range of the arts, and to make arts a
32 high priority in county governmental policy. In order to carry out this policy, the commission is

1 hereby authorized to develop and implement arts support programs in King County and to serve as
2 a facilitator for local arts commissions and other arts organizations within the county.

3 SECTION 3. Ordinance 8300, Section 4 (part), and K.C.C. 2.48.040 are hereby amended
4 to read as follows:

5 **Composition and membership.** A. The commission shall be composed of ~~((eighteen))~~
6 nine residents of King County who shall be appointed by the executive subject to confirmation by
7 the council. The executive shall elicit and consider recommendations for membership from the
8 ~~((King County Arts C))~~ commission, other local arts commissions, and artistic, professional~~((,))~~
9 and civic organizations. The process shall apply to full-term appointments and to the filling of
10 vacancies.

11 B. No more than ~~((eight))~~ four commissioners shall reside within any one city within the
12 county.

13 C. Individuals appointed to the commission should have, among other qualifications
14 making them suitable for commission membership, a demonstrated dedication to the arts and to the
15 arts policy of the county set forth in ~~((Section))~~ K.C.C. 2.48.030 ~~((of this chapter))~~. The executive
16 should also seek representation on the commission of individuals having in-depth knowledge
17 and/or experience with one or more of the following: an artistic discipline, large and small arts
18 institutions, educational institutions, individual artists, principles of art administration,
19 experimental and traditional forms of arts ~~((urban design,))~~ and/or public administration. Executive
20 appointments to the commission should seek to reflect county ethnic and community diversity~~((,))~~
21 and an ability to evaluate the needs of arts constituencies in a county as a whole.

22 ~~((D. The council may annually appoint one of its members to serve for a period of one
23 year as an ex-officio member of the commission.))~~

24 ~~((E.))~~ D. The commission shall, in coordination with the ~~((executive director))~~ manager
25 or his or her designee, develop and adopt a job description for members of the commission, which
26 shall be kept on file in the office of the commission and furnished to all prospective commission
27 members upon their nomination for appointment to the commission.

28 ~~((F.))~~ E. Commissioners shall serve without compensation. Commissioners may be
29 reimbursed for out-of-pocket expenses associated with commission meetings and programs subject
30 to county guidelines.

31 ~~((G.))~~ F. All new appointees to the commission shall receive an orientation and training
32 manual. The contents of this manual shall be described in the commission's rules as specified in
33 ~~((section))~~ K.C.C. 2.48.070 B. All commissioners shall be eligible for training opportunities.

1 SECTION 4. Ordinance 8300, Section 4 (part), and K.C.C. 2.48.050 are hereby amended
2 to read as follows:

3 **Term of service.** A. Appointments to the commission shall be for three-year terms, the
4 term commencing on January 1 of the first calendar year and ending on December 31 of the third
5 calendar year thereafter; provided that any appointment to fill a vacancy (~~pursuant to section~~
6 ~~2.48.050 B.,~~) may commence on any date after the vacancy occurs and shall continue for the
7 remaining portion of the term vacated.

8 B. In the event of the resignation, termination, loss of county residency, death(,) or
9 disability of a member of the commission prior to the expiration of that member's term, the
10 executive shall appoint a successor, subject to council confirmation, to fill the remainder of that
11 member's term.

12 C. Commissioners may be appointed to a maximum of two full three-year terms.
13 Appointment to fill a vacancy on the commission shall not constitute appointment to a full three-
14 year term.

15 D. If any commission member shall be absent, without prior approval of the chair, for
16 more than three consecutive regular meetings of the commission, such member's appointment may
17 be terminated by majority vote of the commission.

18 SECTION 5. Ordinance 8300, Section 4 (part), and K.C.C. 2.48.060 are hereby amended
19 to read as follows:

20 **Meeting procedures - election of officers.** A simple majority of the total number of
21 commissioners shall constitute a quorum for the transaction of commission business. All official
22 actions of the commission require a simple majority vote of the quorum, unless a greater plurality
23 is otherwise specified in the rules of the commission adopted pursuant to this chapter. The
24 commission shall elect officers annually, during the fourth quarter of the calendar year, to serve
25 from January 1 to December 31 of the subsequent calendar year. The commission shall elect a
26 chair (,) and a vice-chair (~~secretary treasurer, and such other officers as it deems necessary~~).

27
28 SECTION 6. Ordinance 8300, Section 4 (part), and K.C.C. 2.48.090 are hereby
29 amended to read as follows:

30 ~~(Executive director. A. Section and evaluation.~~

31 ~~1. The executive director shall be an exempt position within the county parks, planning and~~
32 ~~resources department, and shall be appointed and periodically evaluated in the manner described in~~
33 ~~this section.~~

1 ~~((2. The executive director shall be selected and appointed in the following manner:~~

2 a. ~~The director shall consult with the officers of the commission for the~~
3 ~~purpose of establishing the qualifications for the executive director and the method of recruitment~~
4 ~~for the position.~~

5 b. ~~The officers of the commission and the director shall jointly review all applications for~~
6 ~~the position. The officers of the commission and the director may each select up to three~~
7 ~~candidates who will then be interviewed by the officers of the commission.~~ c. ~~The director shall interview~~

8 3. ~~The director shall periodically evaluate the manager on performance of all job duties~~
9 ~~and responsibilities, including that of executive director of the arts commission, as required by~~
10 ~~county personnel procedures.~~

11 4. ~~The executive director shall be evaluated annually by both the director and by the~~
12 ~~officers of the commission.~~

13 a. ~~The director shall complete a standard county personnel evaluation form.~~

14 b. ~~The officers of the commission shall jointly complete a standard county personnel~~
15 ~~evaluation form after receiving instructions in evaluation methods from the personnel division.~~

16 c. ~~If the evaluation of the executive director by either the director or the officers of the~~
17 ~~commission produces an average score of less than "satisfactory" (or equivalent thereof in any~~
18 ~~subsequently adopted evaluation system), the director and the officers of the commission shall~~
19 ~~confer to determine the actions necessary to improve the performance of the executive director or,~~
20 ~~if necessary, to consider other appropriate actions.))~~

21 ~~((B. Responsibilities.))~~ Staff. ~~The ((executive director shall be the chief))~~ manager of the office
22 of cultural resources shall appoint a coordinator and staff persons for the commission who shall
23 have, at the direction of the commission, the responsibility of assisting the commission in the
24 development of county arts ~~((policies and))~~ support programs and the implementation of such
25 ~~((policies and))~~ programs after their adoption by the commission. The ~~((executive director))~~
26 manager shall provide, within the limitations of annual commission budgets and the policies and
27 procedures of the county, professional and clerical staff, office space, and logistical support to
28 enable the commission to carry out its purpose, mission~~((,))~~ and the requirements of this chapter.

29 SECTION 7. Ordinance 8300, Section 5, and K.C.C. 2.48.100 are hereby amended
30 to read as follows:

31 **Commission - powers and duties.** The commission shall advise the executive and council
32 regarding arts support policy for the county, and~~((,))~~~~((,))~~ shall have the following powers and
33 duties to enable it to carry out its responsibilities:

1 A. Meetings of the commission with the executive and the ((director)) manager. The
2 executive and the ((director)) manager shall meet with the chair of the commission at least
3 semiannually to discuss policy affecting ((the)) arts support in the county and other matters of
4 concern to the commission, the executive, or the ((director)) manager.

5 B. Furthering public awareness and interest in the arts. The commission may, alone or in
6 cooperation with any local arts commission, or any other public agency, or any private
7 organization or individual, promote, encourage, initiate, sponsor or conduct programs to further the
8 development, artistic growth, creativity, public awareness of and interest in all forms of artistic
9 expression within the county.

10 C. Commission budget.

11 ~~((1. The executive director shall prepare annually, an operating budget request for the
12 next fiscal year which encompasses all activities and operations of the commission. This annual
13 operating budget request shall be subject to review and approval by the commission. The
14 executive director shall prepare the annual operating budget request pursuant to the target budget
15 and procedures established by the budget office. The proposed operating budget approved by the
16 commission shall be submitted annually, through the director to the executive and council for
17 approval in the manner provided by law for the preparation and submission of budgets by
18 appointive county officials.~~

19 ~~_____2.))~~ The county shall establish an agency budget for the commission into which shall
20 be deposited, on or prior to the beginning of each fiscal year, from money in the county current
21 expense fund, the amount duly appropriated((~~3~~)) by the council((~~3~~)) together with any other funds
22 received by the county for purposes of furthering the arts.

23 D. Grants. The commission is authorized to seek grants for the support of arts programs
24 within the county. Application for grants shall be made through the county's regular grant
25 application review and approval procedure.

26 ~~((E. Purchase/acquisition and display of works of art by the county. The commission shall act for
27 the county in the evaluation and selection of works of art to be acquired by the county. The place
28 and manner of display of particular works of art shall be jointly established with the agency having
29 jurisdiction of the lands and/or buildings proposed for the placement and display of such work.~~

30 ~~F. Collection management. The commission shall manage and maintain the county art
31 collection.))~~

1 ((G.)) E. Public information resources for the arts. In order to perform its public
2 information/education mission, the commission may from time to time prepare, publish, and
3 distribute informational/educational materials dealing with various forms of artistic
4 expression.

5 ((H.)) F. Annual report. The ((~~commission~~)) manager shall ((~~include in each annual~~
6 ~~operating budget request~~) prepare an annual report summarizing ((~~its~~)) activities during the previous
7 year and setting forth such recommendations ((~~(4)~~)) concerning county encouragement and support of
8 the arts((~~(3)~~)) as it considers appropriate. The ((~~commission's~~)) annual report shall be made available
9 to the public.

10 ((I.)) G. Arts policy. The commission shall advise the executive and council in determining
11 county arts policy and shall provide to federal, state, and local agencies on their arts-related
12 legislative, policy, and program activities. In the development of such policy advice, the
13 commission shall consider the recommendation of the county's local arts commissions and other
14 artistic, professional((~~(3)~~)) and civic organizations. The commission shall provide advice and
15 assistance to the county in connection with such other artistic activities as it deems appropriate and
16 as may be referred to it by the county.

17 ((J.)) H. Leases and contracts. The commission may from time to time propose to enter
18 into any contract and/or lease with any agency or individual that the commission deems
19 appropriate for the purpose of carrying out its responsibilities under this chapter. Approval of any
20 lease or contract proposed by the commission shall be subject to all applicable provisions and
21 procedures of federal, state, and county law.

22 SECTION 8. Ordinance 8300, Section 6, and K.C.C. 2.48.110 are hereby amended to read
23 as follows:

24 **Arts gift trust account.** A. The commission may seek and accept gifts, bequests, and
25 donations from any source to promote, encourage, and foster the arts within the county.

26 B. All monetary gifts, bequests, or donations received by the commission, including those
27 given for specified purposes and those given for general usage by the commission, shall be
28 deposited by the commission into the arts gift trust account, as hereafter created by the ((~~office~~))
29 department of finance. No general operating funds, grant monies, or funds received from any
30 source other than those specified in this section shall be deposited into the arts gift trust account.

31 C. The ((~~executive director~~)) manager shall assure that all monies deposited in the arts
32 gift trust account and interest accruing thereon are appropriated in conformance with state and
33 county laws and commission rules.

1 D. Subject to all applicable federal, state, county or commission laws, rules, ((or)) policies,
2 and guidelines, the commission is authorized to expend, at its discretion, all monies deposited in
3 the arts gift trust account and interest earned for the arts purposes and programs specified by the
4 donor of said funds.

5 SECTION 9. Ordinance 8300, Section 7, and K.C.C. 2.48.120 are hereby amended to read
6 as follows:

7 **Allocation of commission funds. A. Procedures.**

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

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

17 **B. Sources of funds. Funds which are subject to allocation by the commission pursuant to**

1 this chapter shall include the amounts appropriated to the commission for arts programs within the
2 county annual budget, grants from public and private sources, ((the county's one percent for the
3 arts program pursuant to K.C.C. 4.04.010 through 4.04.0490,)) and financial gifts, bequests, and/or
4 donations to the arts commission deposited in the arts gift trust account.

5 C. Appeals. The commission shall specify, in the rules adopted pursuant to K.C.C.
6 2.48.070 B., the process by which commission funding allocation decisions may be appealed.

7
8 INTRODUCED AND READ for the first time this 12th day of
9 November, 1996.

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11 PASSED by a vote of 11 to 0 this 15th day of
12 December, 1997.

13 KING COUNTY COUNCIL
14 KING COUNTY, WASHINGTON

15
16 Jane Hague
Chair

17 ATTEST:

18 Annison
19 Clerk of the Council

20 APPROVED this 19 day of December, 1997

21 Donald Sims
22 King County Executive

23 Attachments: None