

November 2, 1987  
1353E/DE:lt

INTRODUCED BY: Lois North

PROPOSED NO.: 87-623

ORDINANCE NO. **8300**

AN ORDINANCE reestablishing the King County Arts Commission, describing its mission and purpose, providing guidelines for its powers, duties, operations, and membership, repealing Ordinance 1991, Sections 2 through 8, Ordinance 3018, Sections 1 and 2, Ordinance 3851, Section 1, and K.C.C. 2.48.020 through 2.48.080, and adding new sections to K.C.C. 2.48.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 1991, Sections 2 through 8, Ordinance 3018, Sections 1 and 2, Ordinance 3851, Section 1, and K.C.C. 2.48.020 through 2.48.080 are each repealed.

NEW SECTION. SECTION 2. Definitions.

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

B. "Arts Gift Trust Account" means the fund established in Section 6 of this ordinance.

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 Section 4 of this ordinance.

F. "Council" means the King County council.

G. "County" means King County.

H. "Director" means the director of the county parks,

1 arts commission who is the manager of the cultural resources  
2 division of the county parks, planning and resources department.

3 L. "Exempt Employee" means an employee who is exempt from the  
4 provisions of the county career service plan.

5 M. "Fiscal Year" means the year beginning January 1 or any  
6 other fiscal year duly adopted by the county.

7 N. "Individual Artist" means an artist acting individually  
8 and independently without affiliation to or with another  
9 individual, group, or organization.

10 O. "Law" means federal, state, and/or county law.

11 P. "Local Arts Commission" means any of the arts commissions  
12 and/or councils which are established by, and function under aegis  
13 of, any local government body within the county.

14 Q. "Manager" means the manager of the cultural resources  
15 division of the county parks, planning, and resources department,  
16 who also serves as executive director of the commission.

17 R. "Officers of the Commission" means the commissioners duly  
18 elected by the commission from time to time to serve as its  
19 officers.

20 S. "One percent for Art" means the program authorized in  
21 Ordinance 6111 and K.C.C. 4.40.010 through 4.40.090 which  
22 allocates one percent of construction budgets of certain public  
23 works of the county to be set aside for works of art.

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

26 NEW SECTION. SECTION 3. It is the policy of King County to  
27 foster the excellence, vitality, and diversity of the arts in the  
28 county, to make available to all citizens of the county greater  
29 opportunities through which to develop understanding and  
30 appreciation of the wide range of the arts, and to make arts a

1 facilitator for local arts commission and other arts organizations  
2 within the county.

3 NEW SECTION. SECTION 4. King County Arts Commission.

4 A. Composition and Membership.

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

12 2. No more than eight commissioners shall reside within any  
13 one city within the county.

14 3. Individuals appointed to the commission should have,  
15 among other qualifications making them suitable for commission  
16 membership, a demonstrated dedication to the arts and to the arts  
17 policy of the county set forth in Section 3 of this ordinance.  
18 The executive should also seek representation on the commission of  
19 individuals having in-depth knowledge and/or experience with one  
20 or more of the following: an artistic discipline, large and small  
21 arts institutions, educational institutions, individual artists,  
22 principles of art administration, experimental and traditional  
23 forms of arts, urban design, and/or public administration.

24 Executive appointments to the commission should seek to reflect  
25 county ethnic and community diversity, and an ability to evaluate  
26 the needs of arts constituencies in a county as a whole.

27 4. The council may annually appoint one of its

1 members to serve for a period of one year as an ex-officio member  
2 of the commission.

3 5. The commission shall, in coordination with the executive  
4 director, develop and adopt a job description for members of the  
5 commission, which shall be kept on file in the office of the  
6 commission and furnished to all prospective commission members  
7 upon their nomination for appointment to the commission.

8 6. Commissioners shall serve without compensation.  
9 Commissioners may be reimbursed for out-of-pocket expenses  
10 associated with commission meetings and programs subject to county  
11 guidelines.

12 7. All new appointees to the commission shall receive an  
13 orientation and training manual. The contents of this manual  
14 shall be described in the commission's rules as specified in  
15 Section 4.D.2., below. All commissioners shall be eligible for  
16 training opportunities.

17 B. Term of Service.

18 1. Appointments to the commission shall be for three-year  
19 terms, the term commencing on January 1 of the first calendar year  
20 and ending on December 31 of the third calendar year thereafter;  
21 provided, that any appointment to fill a vacancy pursuant to  
22 Section 4.B.2., below, may commence on any date after the vacancy  
23 occurs and shall continue for the remaining portion of the term  
24 vacated.

25 2. In the event of the resignation, termination, loss of  
26 county residency, death, or disability of a member of the  
27 commission prior to the expiration of that member's term, the

1           4. If any commission member shall be absent, without prior  
2 approval of the chair, for more than three consecutive regular  
3 meetings of the commission, such member's appointment may be  
4 terminated by majority vote of the commission.

5           C. Meeting Procedures - Election of Officers

6           1. A simple majority of the total number of commissioners  
7 shall constitute a quorum for the transaction of commission  
8 business. All official actions of the commission require a simple  
9 majority vote of the quorum, unless a greater plurality is  
10 otherwise specified in the rules of the commission adopted  
11 pursuant to this ordinance. The commission shall elect officers  
12 annually, during the fourth quarter of the calendar year, to serve  
13 from January 1 to December 31 of the subsequent calendar year. The  
14 commission shall elect a chair, a vice-chair, secretary-treasurer,  
15 and such other officers as it deems necessary.

16           D. Public Meetings - Adoption of Rules - Record Keeping.

17           1. The commission shall hold regular meetings at least  
18 monthly. All meetings of the commission shall be advertised and  
19 conducted in the manner set forth in Chapter 42.30 R.C.W.,  
20 Washington State Open Public Meeting Act, as such may be amended  
21 from time to time.

22           2. Within six months of the effective date of this  
23 ordinance, the commission shall adopt rules for the transaction of  
24 its business in accordance K.C.C. 2.98. The commission shall keep  
25 minutes of its regular public meetings and records of all official  
26 actions. Such rules, minutes, and records of official actions  
27 shall be filed in the office of the commission and shall be open  
28 to the public to the extent required by state and county law,  
29 including Chapter 42.17 R.C.W., relating to public records, as  
30 such Act may be amended from time to time

1 any person wishing such a record. If subject to disclosure, a  
2 copy of the recording of any meeting or any part thereof shall be  
3 furnished to any person upon written request and payment of the  
4 reasonable expense thereof.

5 4. Commissioners, commission staff, art selection panels,  
6 and juries established by the commission shall be subject to and  
7 comply with the county's conflict of interest policy stated in  
8 K.C.C. 3.04.

9 5. The commission shall adopt criteria for the allocation  
10 of arts program funds and may adopt a jury process adopted by the  
11 commission shall be included in the rules adopted pursuant to  
12 Section 4.D.2., above.

13 E. Committees.

14 1. The commission may from time to time establish one or  
15 more committees to further the policies of the commission, each  
16 with such powers as may be lawfully delegated it by the commission.

17 F. Executive Director - Section and Evaluation.

18 1. The executive director shall be an exempt position  
19 within the county parks, planning and resources department, and  
20 shall be appointed and periodically evaluated in the manner  
21 described in this section.

22 2. The executive director shall be selected and appointed  
23 in the following manner:

24 a. The director shall consult with the officers of the  
25 commission for the purpose of establishing the qualifications for  
26 the executive director and the method of recruitment for the  
27 position.

28 b. The officers of the commission and the director shall  
29 jointly review all applications for the position. The officers of  
30 the commission and the director may each select up to three

1 c. The director shall interview the candidates, and after  
2 consideration of the recommendations of the officers of the  
3 commission, make the final selection of the executive director.

4 3. The director shall periodically evaluate the manager on  
5 performance of all job duties and responsibilities, including that  
6 of executive director of the arts commission, as required by  
7 county personnel procedures.

8 4. The executive director shall be evaluated annually by  
9 both the director and by the officers of the commission.

10 a. The director shall complete a standard county  
11 personnel evaluation form.

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

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

22 G. Executive Director - Responsibilities.

23 The executive director shall be the chief staff person for the  
24 commission who shall have, at the direction of the commission, the  
25 responsibility of assisting the commission in the development of  
26 county arts policies and programs and the implementation of such  
27 policies and programs after their adoption by the commission. The  
28 executive director shall provide, within the limitations of annual  
29 commission budgets and the policies and procedures of the county,  
30 professional and clerical staff, office space, and logistical

1           NEW SECTION. SECTION 5. Commission - Powers and Duties.

2           The commission shall advise the executive and council  
3 regarding arts policy for the county, and, to enable it to carry  
4 out its responsibilities, shall have the following powers and  
5 duties:

6           A. Meetings of the commission with the executive and the  
7 director.

8           The executive and the director shall meet with the chair of  
9 the commission at least semiannually to discuss policy affecting  
10 the arts in the county and other matters of concern to the  
11 commission, the executive, or the director.

12          B. Furthering Public Awareness and Interest in the Arts.

13          The commission may, alone or in cooperation with any local  
14 arts commission, or any other public agency, or any private  
15 organization or individual, promote, encourage, initiate, sponsor  
16 or conduct programs to further the development, artistic growth,  
17 creativity, public awareness of and interest in all forms of  
18 artistic expression within the county.

19          C. Commission Budget.

20           1. The executive director shall prepare annually an  
21 operating budget request for the next fiscal year which  
22 encompasses all activities and operations of the commission. This  
23 annual operating budget request shall be subject to review and  
24 approval by the commission. The executive director shall prepare  
25 the annual operating budget request pursuant to the target budget  
26 and procedures established by the budget office. The proposed  
27 operating budget approved by the commission shall be submitted  
28 annually, through the director to the executive and council for  
29 approval in the manner provided by law for the preparation and  
30 submission of budgets by appointive county officials.



1 expense fund, the amount duly appropriated by the council,  
2 together with any other funds received by the county for purposes  
3 of furthering the arts.

4 D. Grants.

5 The commission is authorized to seek grants for the support of  
6 arts programs within the county. Application for grants shall be  
7 made through the county's regular grant application review and  
8 approval procedure.

9 E. Purchase/Acquisition and Display of Works of Art by the  
10 County.

11 The commission shall act for the county in the evaluation and  
12 selection of works of art to be acquired by the county. The place  
13 and manner of display of particular works of art shall be jointly  
14 established with the agency having jurisdiction of the lands  
15 and/or buildings proposed for the placement and display of such  
16 work.

17 F. Collection Management.

18 The commission shall manage and maintain the county art  
19 collection.

20 G. Public Information Resources for the Arts.

21 In order to perform its public information/education mission,  
22 the commission may from time to time prepare, publish, and  
23 distribute informational/educational materials dealing with  
24 various forms of artistic expression.

25 H. Annual Report.

26 The commission shall include in each annual operating budget  
27 request an annual report summarizing its activities during the  
28 previous year and setting forth such recommendations (concerning  
29 county encouragement and support of the arts) as it considers  
30 appropriate. The commission's annual report shall be made

1 determining county arts policy and shall provide to federal,  
2 state, and local agencies on their arts-related legislative,  
3 policy, and program activities. In the development of such policy  
4 advice, the commission shall consider the recommendation of the  
5 county's local arts commissions and other artistic, professional,  
6 and civic organizations. The commission shall provide advice and  
7 assistance to the county in connection with such other artistic  
8 activities as it deems appropriate and as may be referred to it by  
9 the county.

10 J. Leases and Contracts.

11 The commission may from time to time propose to enter into any  
12 contract and/or lease with any agency or individual that the  
13 commission deems appropriate for the purpose of carrying out its  
14 responsibilities under this ordinance. Approval of any lease or  
15 contract proposed by the commission shall be subject to all  
16 applicable provisions and procedures of federal, state, and county  
17 law.

18 NEW SECTION. SECTION 6. Arts Gift Trust Account.

19 A. The commission may seek and accept gifts, bequests, and  
20 donations from any source to promote, encourage, and foster the  
21 arts within the county.

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

30 C. The executive director shall assure that all monies

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

6 NEW SECTION. SECTION 7. Allocation of Commission Funds.

7 A. Procedures.

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

13 2. The commission shall establish rules and regulations  
14 governing procedures whereby a person or organizations may apply  
15 for money pursuant to this section. Such rules shall be filed as  
16 part of the rules of the commission, adopted pursuant to Section  
17 4.D.2., above, within six months of its effective date.

18 Distribution of awards shall be made in accordance with funding  
19 criteria developed by the commission and filed as part of their  
20 rules under Section 4.D.2., above.

21 B. Sources of Funds.

22 Funds which are subject to allocation by the commission  
23 pursuant to this ordinance shall include the amounts appropriated  
24 to the commission for arts programs within the county annual  
25 budget, grants from public and private sources, the county's one  
26 percent for the arts program pursuant to K.C.C. 4.04.010 through  
27 4.04.090, and financial gifts, bequests, and/or donations to the  
28 arts commission deposited in the arts gift trust account.

29 C. Appeals.

30 The commission shall specify in the rules adopted pursuant to

1 NEW SECTION. SECTION 8. Gifts of Personal or Real Property.

2 The commission is hereby authorized to accept, at its  
3 discretion, gifts of money and/or personal property up to amounts  
4 of \$10,000 for the purposes of furthering the arts programs of the  
5 commission. Any gift of real property or any gift of money or  
6 personal property of greater value than \$10,000 shall be subject  
7 to provisions of K.C.C. 2.80.010. This authority shall expire  
8 unless otherwise extended on December 31, 1989.

9 NEW SECTION. SECTION 9. Severability.

10 If any provision of this chapter or the operation of such  
11 provision should be invalid, such invalidity shall not affect  
12 other provisions of this chapter or their operation unless  
13 dependent for their effect or operation upon the provision held  
14 invalid and then only to the extent of such dependency and for  
15 such purpose the provisions of this chapter are declared to be  
16 severable.

17 INTRODUCED AND READ for the first time this 19th day  
18 of September, 1987.

19 PASSED this 2nd day of November, 1987.

20 KING COUNTY COUNCIL  
21 KING COUNTY, WASHINGTON

22 Gary Grant  
23 Chair

24 ATTEST:

25 Dorothy M. Owens  
26 Clerk of the Council

27 APPROVED this 12th day of November, 1987.

28 Jim Hill  
29 King County Executive  
30