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1% For the Arts

ORIGINAL

ORDINANCE NO. 1640

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, RELATING TO PUBLIC ART.

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Purpose. The City of Redmond recognizes the importance and benefit of providing opportunities for art experiences at public facilities. It is the City's intention to create a variety of cultural opportunities for its citizens and to enhance the cultural environment in the community by encouraging and promoting the creation and placement of public art. A policy is therefore established to pool 1% for the arts funds to be used for works of art at certain public places that will expand citizen's access to public visual art.

Section 2. Definitions. As used in this Ordinance, the following terms have the meanings set forth below:

A. "Acquisition of Real Property" means the purchase of parcels of land or existing buildings and structures, including associated costs such as appraisals or negotiations.

B. "Arts Commission" means the Redmond Arts Commission.

C. "Demolition Costs" means the cost of removing buildings or other structures from the property.

D. "Equipment" means equipment or furnishings that are portable.

E. "Qualifying Capital Improvement Project" funded wholly or in part by the City of Redmond and costing $100,000 or more to construct, renovate or remodel any public building, decorative or commemorative structure, park, or any portion thereof, within the City limits. Projects involving the construction, renovation or repair of public streets, sidewalks and parking facilities are not Qualifying Capital Improvement Projects within the meaning of this ordinance, provided, that where street, sidewalk, or parking facilities construction is an integral and/or incidental part of the construction, renovation or remodel of any public building, decorative or commemorative structure, park, parking facility, or any portion thereof, the cost of the street, sidewalk and parking facilities construction shall be included within the total cost of the Qualifying Capital Improvement Project for purposes of this ordinance.

Section 3. Appropriations. All authorizations and/or appropriations for Qualifying Capital Improvement Projects shall include an amount of not less than one percent (1%) of the total project cost to be set aside for transfer to the Arts Activity Fund.

Section 4. Method of Calculation. For Qualifying Capital Improvement Projects, the minimum amount to be appropriated for art shall be the total project cost divided by 100, except that any City funded amount for the acquisition of real property, demolition, or equipment shall be excluded for the purpose of this calculation. The 1% calculation shall be based on the construction cost identified at the time the project is funded. This shall be a fixed amount and shall not fluctuate with future project budget adjustments. In the event any law, rule, or regulation establishing a source of funds for a

particular project, including but not limited to grants, loans, or assistance from federal, state or other governmental units, prohibits, limits, or excludes art and artworks as a proper expenditure, then the amount of funds from such source shall be excluded from the computation.

Section 5. General Obligation Bond Proceeds. In the case of a city project which involves the use of General Obligation Bond proceeds, funds appropriated shall be used for projects and capital purposes consistent with the resolution(s) or ordinance(s) approved by the City Council and the voters.

Section 6. Uses. The appropriations from Qualifying Capital Improvement Projects shall be pooled into the Arts Activity Fund. The City Council, upon advice and recommendation from the Arts Commission, shall approve, from time to time, the amount to be authorized for 1%-for-the-Arts projects. These funds shall be used for:

A. Selection, acquisition, and installation or display of original works of visual art which may be an integral part of the project, or be placed in, on or about the project or in another public facility;

B. Repairs and maintenance of 1%-for-the-Arts art works;

C. Participation by community members in the creation of works of art funded through the 1%-for-the-Arts program; and

D. Other project specific expenses of selection and acquisition, provided that no part of the funds shall be used to pay administrative staffing expenses of the program.

Section 7. 1% for the Arts Funds. Any unexpended 1% for the Arts funds remaining in the Arts Activity Fund at the end of any budget year shall not be transferred to the general fund or otherwise lapse, but said unexpended funds shall be carried forward from year to year until expended for the purposes set forth in Section 6 of this ordinance, unless otherwise directed by ordinance of the City Council.

Section 8. Arts Commission Responsibilities. Annually, the Arts Commission shall prepare and recommend a 1%-for-the-Arts Project Plan and shall make specific recommendations on the appropriation of 1%-for-the-Arts Funds to the City Council. The Arts Commission shall carry out all necessary tasks and procedures consistent with established arts policies, for the selection, placement, and conservation of art works.

Section 9. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 10. Effective Date. This ordinance, being an administrative action, is not subject to referendum and shall take effect five (5) days after this ordinance or a summary thereof consisting of the title is published.

APPROVED:

Doreen Marchione

MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

for Sandra L. Marion
CITY CLERK, DORIS SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY

FILED WITH THE CITY CLERK:	06-27-91
PASSED BY THE CITY COUNCIL:	07-02-91
PUBLISHED:	07-07-91
EFFECTIVE DATE:	07-12-91

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