



SEATTLE CITY COUNCIL

Legislative Summary

CB 118719

Record No.: CB 118719

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125094

In Control: City Clerk

File Created: 05/09/2016

Final Action: 08/03/2016

Title: AN ORDINANCE related to the Municipal Arts Fund; amending Section 20.32.050 of the Seattle Municipal Code to allow for expenditures related to public art maintenance; and ratifying and confirming certain prior acts.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Herbold

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: adam.schaefer@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	05/31/2016	Mayor's leg transmitted to Council	Mayor			
	Action Text:	The Council Bill (CB) was Mayor's leg transmitted to Council. to the Mayor					
	Notes:						
1	City Clerk	05/31/2016	sent for review	Council President's Office			
	Action Text:	The Council Bill (CB) was sent for review. to the Council President's Office					
	Notes:						
1	Council President's Office	06/03/2016	sent for review	Civil Rights, Utilities, Economic Development, and Arts Committee			
	Action Text:	The Council Bill (CB) was sent for review. to the Civil Rights, Utilities, Economic Development, and Arts Committee					
	Notes:						

- 1 Full Council 07/05/2016 referred Civil Rights,
Utilities, Economic
Development, and
Arts Committee
Action Text: The Council Bill (CB) was referred. to the Civil Rights, Utilities, Economic Development, and Arts
Committee
Notes:
- 1 Civil Rights, Utilities, 07/22/2016 pass Pass
Economic Development,
and Arts Committee
Action Text: The Committee recommends that Full Council pass the Council Bill (CB).
Notes:
In Favor: 2 Chair Herbold, Member O'Brien
Opposed: 0
- 1 Full Council 08/01/2016 passed Pass
Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
Notes:
In Favor: 9 Councilmember Bagshaw, Councilmember Burgess, Councilmember
González , Council President Harrell, Councilmember Herbold,
Councilmember Johnson, Councilmember Juarez, Councilmember
O'Brien, Councilmember Sawant
Opposed: 0
- 1 City Clerk 08/02/2016 submitted for Mayor
Mayor's signature
Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor
Notes:
- 1 Mayor 08/03/2016 Signed
Action Text: The Council Bill (CB) was Signed.
Notes:
- 1 Mayor 08/03/2016 returned City Clerk
Action Text: The Council Bill (CB) was returned. to the City Clerk
Notes:
- 1 City Clerk 08/03/2016 attested by City
Clerk
Action Text: The Ordinance (Ord) was attested by City Clerk.
Notes:
-

CITY OF SEATTLE

ORDINANCE 125094

COUNCIL BILL 118719

AN ORDINANCE related to the Municipal Arts Fund; amending Section 20.32.050 of the Seattle Municipal Code to allow for expenditures related to public art maintenance; and ratifying and confirming certain prior acts.

WHEREAS, the Office of Arts and Culture (“Arts”) is the administrator of the Municipal Arts Fund (MAF), which primarily supports public art investment in The City of Seattle (“City”) via the One Percent for Art program; and

WHEREAS, Section 20.32.050 of the Seattle Municipal Code places limitations on the MAF’s support for conservation and maintenance of public art investments regardless of the funding source; and

WHEREAS, this limitation affects the City’s ability to account for revenue and spending related to this function within the Arts MAF financial plan; and

WHEREAS, Arts, in prior years, has spent directly from the Cumulative Reserve Subfund - Unrestricted (CRS-U) Budget Control Level to provide maintenance; and

WHEREAS, direct spending from a funding source BCL is not the preferred method for spending, as it tracks workload outside of the assigned department’s financials; and

WHEREAS, the 2016 Adopted Budget provided an appropriation in Arts from the MAF, assumed a contribution of CRS-U revenue to the MAF, and created a new program to track maintenance of public arts investments in Arts for transparency purposes; and

WHEREAS, a technical change to the Seattle Municipal Code concerning the MAF is necessary to be consistent with the 2016 Adopted Budget; and

WHEREAS, this action does not change appropriation or funding to Arts in 2016 or future years:
it changes the way expenditures and revenues are tracked for accounting and budget
purposes; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 20.32.050 of the Seattle Municipal Code, last amended by Ordinance
124539, is amended as follows:

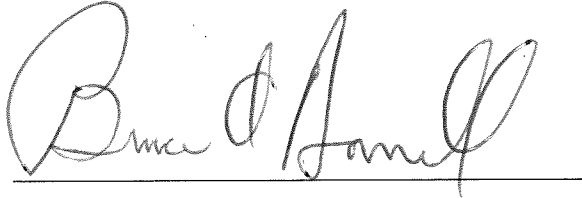
20.32.050 - Municipal Arts Fund

There is established in the City Treasury a special fund designated "Municipal Arts
Fund" into which shall be deposited funds appropriated as contemplated by Section 20.32.030,
together with such other funds as the City Council shall appropriate for works of art, ~~((and from~~
~~which expenditures))~~ Expenditures may be made from this fund for the acquisition and
exhibition of works of art consistent with the plan specified in subsection 20.32.040.A, and for
Office of Arts and Culture staff costs and administrative costs (as defined in ~~((subsection~~
~~20.32.020.F))~~ Section 20.32.020) that are associated with developing and implementing the
Municipal Arts Plan ~~((, but not))~~ including the cost of maintaining City-owned ~~((art-work))~~
artwork, which maintenance cost may be paid from the Cumulative Reserve Subfund or such
other eligible source(s) as may be specified by ordinance. Separate accounts shall be established
within the Municipal Arts Fund to segregate receipts by source or, when so directed by the City
Council, for specific works of art. Disbursements from such fund shall be made in connection
with projects approved by the Seattle Arts Commission on vouchers approved by the Director of
the Office of Arts and Culture.

Section 2. Ratify and Confirm. Any act consistent with the authority of this ordinance
taken prior to its effective date is ratified and confirmed.

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 1st day of August, 2016, and signed by me in open session in authentication of its passage this 1st day of August, 2016.



President _____ of the City Council

Approved by me this 3rd day of July, 2016.



Edward B. Murray, Mayor

Filed by me this 3rd day of August, 2016.



Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Contact Person/Phone:	Executive Contact/Phone:
Office of Arts and Culture (Arts)	Jane Morris/4-8362	Candice Livingston Foote/3-7274

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE related to the Municipal Arts Fund; amending Section 20.32.050 of the Seattle Municipal Code to allow for expenditures related to public art maintenance; and ratifying and confirming certain prior acts.

Summary and background of the Legislation: This technical legislation amends Seattle Municipal Code (SMC) Section 20.32.050 related to the Municipal Arts Fund (MAF) to allow conservation and maintenance expenditures for public art to occur directly from the fund.

Prior to 2016, the Office of Arts and Culture (Arts) maintained public art by utilizing a Cumulative Reserve Subfund – Unrestricted (CRS-U) Budget Control Level (BCL) located outside of the Arts budget. In order to more accurately reflect revenue and expenditures for all Arts controlled work, the 2016 Adopted Budget moved the maintenance budget into Arts by accepting CRS-U revenue in the MAF (the department desired location for the funding) and appropriating an equivalent amount in a new Artwork Conservation Program within Arts. This was a net zero, technical change to the 2016 Endorsed Budget.

The SMC limits the MAF's use for maintenance related work, regardless of funding source. Legislation is required to make the SMC consistent with the 2016 Adopted Budget and allow Arts to use its 2016 appropriation for conservation work.

With regard to the One Percent for Art funding – the main contributor to the MAF, the CRS-U funding for maintenance is unrelated and not a part of the program. Contributions to the MAF as part of the One Percent for Art program are not eligible to be used for maintenance of public art and under this legislation, would remain an ineligible funding source for maintenance. Recognizing this distinction and need for separation, 2016 funding for maintenance was specifically placed in the new Artwork Conservation Program created solely for Arts conservation and maintenance related work. This budgetary action divides the MAF into two distinct programs for tracking revenue and expenditures related to artwork maintenance and to One Percent for Arts work.

2. CAPITAL IMPROVEMENT PROGRAM

_____ This legislation creates, funds, or amends a CIP Project.

(If box is checked, please attach a new (if creating a project) or marked-up (if amending) CIP Page to the Council Bill. Please include the spending plan as part of the attached CIP Page.)

Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:	Total Cost:

3. SUMMARY OF FINANCIAL IMPLICATIONS

Please check one:

☐ **This legislation has direct financial implications.** (If the legislation has direct fiscal impacts (appropriations, revenue, positions), fill out the relevant sections below. If the financial implications are indirect or longer-term, describe them in narrative in the “Other Implications” section.)

☒ **This legislation does not have direct financial implications.**
(Please skip to “Other Implications” section at the end of the document and answer questions a-i.)

4. OTHER IMPLICATIONS

- a) **Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?**
No
- b) **Is there financial cost or other impacts of not implementing the legislation?**
Not implementing this legislation would make the 2016 Adopted Budget in conflict with substantive law. The 2016 Adopted Budget Ordinance would need to be amended to move the appropriation to another fund for spending.
- c) **Does this legislation affect any departments besides the originating department?**
No
- d) **Is a public hearing required for this legislation?**
No
- e) **Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?**
No
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No
- g) **Does this legislation affect a piece of property?**
No
- h) **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?**
No, this is a technical transaction and does not affect the provision of services to the

public.

- i) If this legislation includes a new initiative or a major programmatic expansion:
What are the long-term and measurable goals of the program? Please describe how
this legislation would help achieve the program's desired goals.**

Not applicable

- j) Other Issues:**

None

List attachments/exhibits below: No attachments

STATE OF WASHINGTON -- KING COUNTY

--SS.

340402

No. 125093,94,95,96,97,98,99

CITY OF SEATTLE,CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

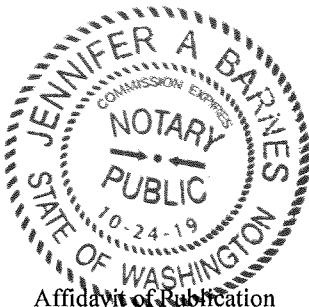
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:TOTLE ONLY ORDINANCES

was published on

08/09/16

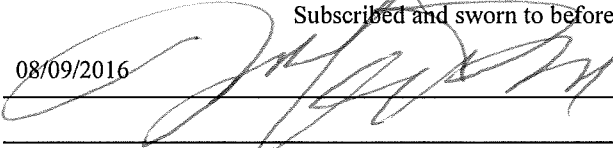
The amount of the fee charged for the foregoing publication is the sum of \$151.53 which amount has been paid in full.



Affidavit of Publication


Subscribed and sworn to before me on

08/09/2016


Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle Title Only Ordinances

The full text of the following legislation, passed by the City Council on August 1, 2016, and published below by title only, will be mailed upon request, or can be accessed at <http://seattle.legistar.com>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Ordinance 125093

Council Bill 118709

AN ORDINANCE relating to the City Light Department; declaring the former University Substation property as surplus to the City's needs and no longer required for providing public utility service or other municipal purpose; authorizing the sale of this property for appraised value to the University of Washington, or to be sold through a brokered sale managed by the Department of Finance and Administrative Services; authorizing the General Manager and Chief Executive Officer of the City Light Department or designee to execute all necessary documents to accomplish such property sale, and to deposit the proceeds of the sale in the City Light Fund.

Ordinance 125094

Council Bill 118719

AN ORDINANCE related to the Municipal Arts Fund; amending Section 20.32.050 of the Seattle Municipal Code to allow for expenditures related to public art maintenance; and ratifying and confirming certain prior acts.

Ordinance 125095

Council Bill 118720

AN ORDINANCE relating to the City Light Department; authorizing the General Manager and Chief Executive Officer to enter into a lease agreement with the Washington State Department of Natural Resources for use of the Gold Mountain communications facility in Kitsap County, Washington; and ratifying and confirming certain prior acts.

Ordinance 125096

Council Bill 118741

AN ORDINANCE related to the City Light Department; accepting certain easements for overhead and underground electrical rights in King County, Washington; placing said easements under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

Ordinance 125097

Council Bill 118742

AN ORDINANCE relating to the City Light Department; accepting certain easements for overhead and underground electrical rights in King County, Washington; placing said easements under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

Ordinance 125098

Council Bill 118743

AN ORDINANCE relating to the City Light Department; declaring certain real property rights surplus to utility needs; authorizing the General Manager and Chief Executive Officer to grant a permanent flowage easement to allow for a relocated portion of Cumberland Creek to occasionally flood conservation land owned by The City of Seattle in Skagit County, Washington; and ratifying and confirming certain prior acts.

Ordinance 125099

Council Bill 118744

AN ORDINANCE relating to the City Light Department, declaring certain real property rights surplus to utility needs; authorizing the General Manager and Chief Executive Officer to enter into a five party Reciprocal Easement Agreement with

ELA, LLC; Echo Lake Senior Apartments; The Young Men's Christian Association of Greater Seattle; and the Ronald Wastewater District; authorizing the conveyance and acceptance of easements; and ratifying and confirming certain prior acts.

Date of publication in the Seattle Daily Journal of Commerce, August 9, 2016.

8/9(340402)