

CITY OF MAPLE VALLEY, WASHINGTON

ORDINANCE O-18-635

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, AMENDING CHAPTER 2.95 OF THE MAPLE VALLEY MUNICIPAL CODE ENTITLED “ARTS COMMISSION” PROVIDING FOR SEVERABILITY, ESTABLISHING AN EFFECTIVE DATE, AND PROVIDING FOR CORRECTIONS.

WHEREAS, the City of Maple Valley believes in the power of art in public places to draw people together, create vibrant neighborhoods, and stimulate thought and engagement by enhancing the built and natural environment unique to Maple Valley; and

WHEREAS, art is part of the cultural thread that ties generations of citizens together, creating opportunities for expression, reflection, participation, understanding and education; and

WHEREAS, Chapter 2.95 of the Maple Valley Municipal Code entitled “Arts Commission” creates an Arts Commission and sets forth the membership qualifications and meeting requirements of the Arts Commission; and

WHEREAS, the City Council desires to modify the requirements of Chapter 2.95 to better reflect a workable membership structure and to enhance the frequency of regular meetings;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment. Chapter 2.95 of the Maple Valley Municipal Code entitled “Arts Commission” is hereby amended as follows: (new text shown in underline; deleted text shown in ~~strikethrough~~):

2.95.010 Arts Commission established.

An Arts Commission (“Commission”) is hereby established for the purpose of providing leadership to foster cultural opportunities and arts education, to improve the quality of life and enhance the aesthetic environment through public art, to promote Maple Valley as a creative center for arts experiences, activities and commissions, and to provide recommendations to the City Council on matters of the arts in the Maple Valley community. (Ord. O-12-520).

2.95.020 Membership – Organization – Vacancies.

A. Members. The Arts Commission shall consist of ~~eight~~ five voting members, with up to ~~two~~ three non-voting members and four alternates to be appointed as detailed in subsection (C) below ~~by the Mayor and confirmed by the City Council.~~

~~B. With respect to the members appointed and confirmed to serve on the Arts Commission, the following provisions shall apply:~~

- ~~1. The Commission shall include among its members up to two youth representatives of high school age who attend a school within the Tahoma School District;~~
- ~~2. The Commission shall include among its members one representative from the Maple Valley Creative Arts Council;~~
- ~~3. The Creative Arts Council representative shall be elected by its governing board. The representative nominee shall be submitted to the City Manager for recommendation for appointment by the Mayor;~~
- ~~4. Each remaining member and each alternate, exclusive of the youth representatives and the Maple Valley Creative Arts Council representative, shall reside within the corporate limits of the City of Maple Valley.~~

B. Membership Qualifications.

1. Voting Members. One voting member shall be a representative from the Maple Valley Creative Arts Council (MVCAC) as chosen by the MVCAC governing board. All other voting members shall live within the corporate limits of Maple Valley.
2. Non-Voting Members. Up to two non-voting members shall be Tahoma High School students and one other non-voting member shall be employed within the corporate limits of the City of Maple Valley.
3. Alternates. One of the alternates will be designated as the "MVCAC alternate" who shall be nominated by the MVCAC governing board to serve as the Arts Commission alternate. The MVCAC alternate shall be permitted to vote in place of the MVCAC voting member. The other three alternates shall be designated Alternate One (1), Alternate Two (2), and Alternate Three (3). Public Arts Commissioner Alternate One shall be the senior alternate and shall be designated as the voting alternate in all instances, except in their absence in which event Alternate Two or Alternate Three shall be the voting alternate.

C. Appointment. Except for the Creative Arts Council member MVCAC voting member and alternate, described in subsections (B)(1) and (2) of this section, members shall be sought by public notice in the City's official newspaper and by other reasonable methods as appropriate. All candidates for membership shall be interviewed by the Mayor, Deputy Mayor, and City Manager or his/her designee. The Mayor's recommendation(s) for membership appointment shall be forwarded to the full City Council at one of its subsequent regular meetings. The members shall be appointed by the Mayor with the concurrence of and confirmed by the City Council.

~~D. The Commission shall elect from its members a Chair and Vice Chair, each of whom shall serve for a period of one year. Chairs and Vice Chairs may be elected for consecutive years. The Commission shall adopt such rules and regulations, as necessary or desirable, for the conduct of its business and shall keep minutes of its proceedings. The proceedings of every meeting shall be a public record.~~

D. ~~E.~~ Vacancies that occur in any way other than through expiration of terms shall be filled for the remainder of the unexpired term in the same manner as provided in subsection ~~(C)~~ (A) of this section. (Ord. O-14-557 § 1; Ord. O-12-520).

2.95.030 Term of appointment – Removal.

A. In order to create a system of staggered terms, four of the initial appointees shall serve one-year terms, and three of the initial appointees shall serve two-year terms. Initially appointed Arts Commissioners may be reappointed to an additional two-year term. Thereafter, as terms expire, Commission members seeking reappointment must submit a letter to the Mayor seeking reappointment, and set forth the reasons the member wishes to be reappointed. Arts Commission members shall serve two-year terms. Terms shall expire on December 31st, and each successive term shall begin January 1st.

B. The following exceptions to the two-year term set forth in subsection (A) of this section shall apply:

1. ~~Youth~~ Tahoma High School representative(s) shall be appointed to a one-year term.

C. Arts Commission members shall be removed by the Mayor, with the concurrence of the City Council, for negligence of duty, malfeasance in office, or for unexcused absences from more than three consecutive regular meetings of the Commission. Except for ~~the two non-voting members, youth representatives,~~ and the Creative Arts Council representative and alternate, failure of a Commission member to reside within the corporate limits of the City of Maple Valley shall constitute a forfeiture of office. (Ord. O-16-605 § 1; Ord. O-14-557 § 2; Ord. O-14-551 § 1; Ord. O-12-520).

2.95.040 Meetings – Quorum – Officers - Compensation.

A. Public Meetings. All meetings of the Arts Commission shall be open to the public and shall be governed by rules and operating procedures as established by the Arts Commission. In consultation with City staff, the Arts Commission shall establish a fixed meeting date, time, and location for its regular meeting and will meet six times per year ~~at least quarterly.~~

B. Quorum. A simple majority, constituting ~~four~~ three members of the Arts Commission, shall constitute a quorum for the transaction of Commission business. ~~Alternates shall not have a vote.~~ Prior to a meeting being called to order, the Commission

shall determine if an alternate is needed to establish quorum in accordance with Section 2.95.020.B.(3) above.

C. Officers. The Commission shall elect from its voting members a Chair and Vice Chair, each of whom shall serve for a period of one year. Chairs and Vice Chairs may be elected for consecutive years. The Commission shall adopt such rules and regulations, as necessary or desirable, for the conduct of its business and shall keep minutes of its proceedings. The proceedings of every meeting shall be a public record.

D. Telephonic Appearance. Members may attend meetings and be considered present via telephone by making a written request to the City Staff Liaison at least 24 hours prior to the meeting date.

E. The members of the Commission shall serve without pay, but may be reimbursed for the expenses incurred while participating in Commission functions, if funds are available. (Ord. O-12-520).

2.95.050 Duties and responsibilities.

A. The Arts Commission shall study, discuss, evaluate and, if necessary or prudent, conduct public meetings or public hearings on matters within the scope of Commission activities, for the purpose of gathering and compiling information in order to advise, or make recommendations to, the City Council on matters within the purview of its authority. The Arts Commission from time to time may assume other assignments as assigned by the City Council. ~~On an annual basis, the Commission Chair shall provide the City Council with a report of its activities during the previous year.~~

B. The Arts Commission shall develop and present an annual Work Plan to the City Council for approval at the beginning of each calendar year. The Work Plan shall include, among other tasks, opportunities for public art in coordination with City planned projects. The Arts Commission shall report progress made on the Work Plan to the City Council at the end of each calendar year.

C. The Arts Commission shall support the following activities and goals on behalf of the city:

1. Support successful collaborations between the Maple Valley Creative Arts ~~Commission~~ Council, business community, service groups, arts organizations, schools, citizens and artists in regards to the selection, placement, maintenance, and enjoyment of public art.
2. Assist the City Council in the acquisition of a public art collection in order to expand the opportunity for residents to experience art in public places and to enhance the city's unique built and natural environments.

3. To encourage and, if possible, garner donations, grants or other support to further expand artistic and cultural programs and services for the citizens of Maple Valley. Review all proposed donations of public art and submit a recommendation on the proposed donation(s) to the City Council for formal acceptance or rejection.

4. To provide local artistic and cultural services to the citizens of Maple Valley by making expertise available to the City and its citizens on the subjects of visual and performing arts and cultural heritage, especially as those artistic endeavors may be used to influence the use of public art in public spaces.

5. To advise the City Council concerning the receipt of or purchase of works of art to be placed on municipal property.

~~6. To review all proposed donations of public art to ensure that such donations are consistent with the goals of the City of Maple Valley. After completing such a review, to submit a recommendation on the proposed donation(s) to the City Manager for formal acceptance or rejection.~~

~~6.~~ 7 Prepare and recommend to the City Council for approval a plan and guidelines to carry out the City's public art program, which shall include, but not be limited to, a method or methods for the selection of artists or works of art and for placement of works of art that are attached or detached within or about any municipal construction project or other municipally owned, leased, or rented property.

~~8. Prepare and recommend to the City Council for approval a maintenance plan for the use of funds accumulated in the art conservation reserve account.~~

~~7.~~ 9 To take such other action(s) as the City Council may direct from time to time. (Ord. O-12-520).

2.95.060 Staff.

The office of the City Manager, and other staff members designated by the City Manager, shall be the staff liaison to the Arts Commission. (Ord. O-12-520).

Section 2. Severability

If any section, subsection, clause, sentence, or phrase of this ordinance should be held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Effective Date

This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

Section 4. Corrections by City Clerk or Code Reviser.

Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 8th DAY OF JANUARY 2018.

CITY OF MAPLE VALLEY

Sean P. Kelly, Mayor

ATTEST/AUTHENTICATED:

Shaunna Lee-Rice, City Clerk

APPROVED AS TO FORM:

Patricia Taraday, City Attorney

Date of Publication: January 12, 2018

Effective Date: January 17, 2018