

ORDINANCE O-12-520

AN ORDINANCE OF THE CITY OF MAPLE VALLEY, WASHINGTON, CREATING A NEW CHAPTER 2.95 “ARTS COMMISSION” WITHIN TITLE 2 OF THE MAPLE VALLEY MUNICIPAL CODE, 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, the City accepts a responsibility to expand public experience with the arts and to promote awareness of the arts as a vital part of our cultural heritage and contemporary lives; and

WHEREAS, the City believes in enhancing the community's identity and supporting the growth of the local economy; and

WHEREAS, the City Council wishes to establish an Arts Commission to assist the City Council in its selection of public art that will be funded through a public art program as funding is available;

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

Sections:

2.95.010 Arts Commission Established

2.95.020 Membership; Organization; Vacancies

2.95.030 Term of Appointment; Removal

2.95.040 Meetings; Compensation

2.95.050 Duties and Responsibilities

2.95.060 Staff

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.

2.95.020 Membership; Organization; Vacancies.

A. The Arts Commission shall consist of seven (7) members, with up to two (2) alternates to be appointed 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 one (1) youth representative of high school age who attends a school within the Tahoma School District;

2. The commission shall include among its members one (1) 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 representative and the Maple Valley Creative Arts Council representative, shall reside within the corporate limits of the City of Maple Valley.

C. Except for the Creative Arts Council member described in Paragraph B. 2., above, 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 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.

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 MVMC 2.95.020.C.

2.95.030 Term of Appointment; Removal.

A. Arts Commission members shall serve two-year terms. Terms shall expire on December 31st, and each successive term shall begin January 1st. 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. Thereafter, as terms expire, all Commission members shall serve two

year terms with the possibility of one Commission member being reappointed to an additional two year term. A Commission member seeking re-appointment must submit a letter to the Mayor seeking re-appointment, and set forth the reasons the member wishes to be re-appointed.

B. The following exceptions to the two-year term set forth in Section A., shall apply:

1. The youth representative shall be appointed to a one (1) 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 (3) consecutive regular meetings of the Commission. Except for the youth representative and the Creative Arts Council representative, failure of a Commission member to reside within the corporate limits of the City of Maple Valley shall constitute a forfeiture of office.

2.95.040 Meetings; Compensation.

A. 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 at least quarterly.

B. A simple majority, constituting four (4) members of the Arts Commission shall constitute a quorum for the transaction of Commission business. Alternates shall not have a vote.

C. 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.

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 support the following activities and goals on behalf of the city:

1. Support successful collaborations between the Maple Valley Creative Arts Commission, 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.
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.
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.
9. To take such other action(s) as the City Council may direct from time to time.

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.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its applications to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by State, federal law, or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. A summary of this Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of adoption and publication.

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 resolution,

including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or resolution numbering and section/subsection numbering.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE _____ DAY OF _____, 2012.

CITY OF MAPLE VALLEY

WILLIAM T. ALLISON, MAYOR

ATTEST/AUTHENTICATED:

SHAUNNA LEE-RICE, CITY CLERK

APPROVED AS TO FORM:

CHRISTY A. TODD, CITY ATTORNEY

DATE OF PUBLICATION: DECEMBER 4, 2012

EFFECTIVE DATE: DECEMBER 9, 2012