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CITY OF FIFE, WASHINGTON

ORDINANCE NO. 1741

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON, ADDING A NEW CHAPTER TO THE FIFE MUNICPAL CODE, TO BE KNOWN AS CHAPTER 2.77, AND ADDING SECTIONS 2.77.010 THROUGH 2.77.060, AND ESTABLISHING THE FIFE PUBLIC ARTS COMMISSION

WHEREAS, the City recognizes the important role of art in the cultural enrichment of its residents, the aesthetic quality of its physical environment, and the community character and civic identity of Fife; and

WHEREAS, public art enriches publicly owned places, and contributes a sense of ownership and community pride in public facilities and spaces for City residents; and

WHEREAS, the City's location within the Puyallup Tribal Reservation creates a cultural and historic significance for the people of Fife, and is a factor in honoring the arts,

WHEREAS, the establishment of an Arts Commission will further the City's goal of incorporating art into City-owned public places and encourage public programs to promote the fine, visual, literary and performing arts; and

WHEREAS, the Arts Commission will make recommendations to the City Council in connection with cultural and artistic endeavors involving the City, and

WHEREAS, the Arts Commission will act as the City's representative in connection with cultural and artistic endeavors involving the City, as well as serve as a point of contact for such endeavors for the public; and

WHEREAS, the Arts Commission will encourage donations, grants and other support to expand the arts in the community;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 2.77 of the Fife Municipal Code is hereby added to read as follows:

Chapter 2.77
ARTS COMMISSION

Sections:
2.77.010 Purpose

2.77.020 Commission Established - Membership
2.77.030 Rules of Procedure
2.77.040 Authority and Responsibilities
2.77.050 Meetings and Staff Services
2.77.060 Budget and Compensation

Section 2. A new section 2.77.010 is hereby added to the Fife Municipal Code and it shall read as follows:

2.77.010 PURPOSE

As a matter of public policy, the City recognizes that support for artists and arts organizations, development and stewardship of public art, arts education, and cultural development are public necessities and essential for the continuing growth and development of Fife's citizens, economy, and quality of life. The primary duty of the Fife Arts Commission is to identify and actively encourage the development and sustainability of the arts in the City by serving as the City's primary resource in matters of public art and culture, as provided for in this chapter.

Section 3. A new section 2.77.020 is hereby added to the Fife Municipal Code and it shall read as follows:

2.77.020 COMMISSION ESTABLISHED - MEMBERSHIP

A. The Arts Commission (hereafter "Commission") shall be composed of no fewer than five (5) and no more than twelve (12) members, appointed by the City Council.

B. The terms of the members shall be for three (3) years. Subsequent appointments shall be to fill any unexpired term or to a three year term.

C. Prior to appointing members, public notice of available positions shall be provided at least two weeks in advance of appointment. Applicants for vacant positions shall apply to the office of the City Manager.

D. Commission members serve at the pleasure of the City Council. By a majority vote, the City Council may remove any appointed member of the Committee and declare the position vacant. Vacancies occurring otherwise than by expiration of term shall be filled in the manner used for regular appointments. All members of the Commission shall serve until their successors are duly appointed by the City Council.

E. Members of the Commission shall consider in its selection criteria, to the extent reasonably possible, representation from as many as possible of the following arts and professions: painting, sculpture, music, literature, architecture and landscape architecture, performing arts, tribal or city historian, and education, as well as lay members who have an interest in the artistic, tribal, and cultural development of the City. One (1) member shall be from a recommendation from the Chamber of Commerce, one (1)

member shall be from a recommendation from the Puyallup Tribe, one (1) member shall be a local school student interested in the arts and one (1) member shall be an Arts educator. Members shall be selected without respect to political affiliations. Persons who are not residents of the City of Fife shall be permitted to serve on the Commission; however, the number of non-resident members shall at all times be less than the number of Fife resident members.

Section 4. A new section 2.77.030 is hereby added to the Fife Municipal Code and it shall read as follows:

2.77.030 RULES OF PROCEDURE

A. The Commission shall adopt procedural rules governing the transaction of its business. The rules shall include provisions for the date, time and place of regular meetings of the Commission. Provisions shall be made for maintaining minutes of Commission meetings and records of all Commission reports, conclusions and recommendations. The rules of procedure shall provide for the election of Commission officers, which shall include a chairperson and vice chairperson, and any other such office as it may determine it requires. The term of these offices shall be for one year.

B. Three (3) members, or one half of the members present at a meeting, rounded up to the nearest whole number, whichever is greater, shall constitute a quorum for the transaction of business. A majority vote shall be necessary to carry any proposition.

C. The rules of the Commission shall provide that all Commission meetings shall be open to the public and that notice of meetings shall comply with the Washington Open Public Meetings Act, to the extent proceedings of the Commission are governed by such Act. The procedures shall address receipt and processing of citizen proposals and requests.

Section 5. A new section 2.77.040 is hereby added to the Fife Municipal Code and it shall read as follows:

2.77.040 AUTHORITY AND RESPONSIBILITIES

A. The Commission is an advisory body to the City Manager and City Council on issues relating to artwork and art endeavors in the City of Fife.

B. The term "artwork" as used in this chapter shall include, without limitations, paintings, murals, stained glass, sculptures, bas-reliefs, monuments, fountains, arches or other structures of a permanent or temporary character intended for ornament or commemoration or any such graphic display as may be incorporated into the design and construction of

public improvements deemed to illustrate historical, tribal, cultural or artistic impression.

C. The Commission shall be responsible for:

1. developing polices for the acquisition, display and presentation/placement of public artwork,

2. identifying projects that can benefit from artists' involvement,

3. selecting artists to be commissioned, provided they are consistent with the venue, community standards, plans of the City and within the Commission's current budget, to be approved by the City Manager,

4. providing advice to the City Manager regarding appropriate maintenance of public artwork after the work is in place.

D. The Commission is authorized to take the following actions:

1. advise the City Manager on the receipt of and/or purchase of artwork to be placed on municipal property,

2. review and make recommendations to the City Manager on all artwork acquired by the City,

3. gather information, perform studies and do whatever is deemed necessary to acquire a sufficient basis so as to adequately advise the City Manager as to the appropriate cultural and artistic development for the City, including, but not limited to, the acquisition and construction of cultural facilities and/or projects such as museums, performing art centers and convention facilities,

4. provide recommendations to the City Manager in connection with cultural and artistic endeavors, projects, acquisition of funds and expenditures in which the City becomes involved and will act as representative of the community in such matters,

5. encourage, conduct, sponsor or cosponsor public programs to further the development and public awareness of, and interest in, the arts and Fife's cultural and tribal heritage,

6. encourage donations, grants and other support to further expand the arts and cultural services and programs available to the citizens of Fife, including obtaining private, local, state and federal funds,

7. develop cooperation and coordination with Fife and Puyallup Tribal schools and local, regional and national arts organizations,

8. provide public information about art, cultural and tribal activities in the City or affecting the City,

9. serve as the "point of contact" for all individuals and groups in the Fife community to bring their concerns and ideas in regard to the arts,

10. explore, promote, provide encouragement and aid to arts related projects and events that provide an economic benefit and/or beautify and enhance the image of the City,

11. to take such other actions as the City Manager may direct from time to time.

E. The Commission shall not incur any indebtedness on behalf of the City without express approval of the City Manager.

Section 6. A new section 2.77.050 is hereby added to the Fife Municipal Code and it shall read as follows:

2.77.050 MEETINGS AND STAFF SERVICES

A. The Commission shall meet regularly, at least once per quarter, at a date, time and place to be established by the Commission. Commission meetings shall be open to the public and written meeting minutes shall be maintained and made available to the public upon approval of the minutes by the Commission. Special meetings of the Commission may be called at any time by the Chair or by a majority of the members of the Commission upon written notice being given to all members of the Commission. All meetings must be properly noticed in compliance with the Open Public Meetings Act.

B. The City Manager shall be responsible for providing administrative and staff services for the Commission and may assign City Hall staff members to provide services to the Commission.

C. The Commission shall make a report to the City Council at least annually, covering its respective activities for the past year and the recommended scope of activities for the forthcoming year.

Section 7. A new section 2.77.060 is hereby added to the Fife Municipal Code and it shall read as follows:

2.77.060 BUDGET AND COMPENSATION

A. Arts Commission programs and expenses shall be funded from grants, donations, admission charges and/or from monies appropriated by the City Council, in an amount that the City Council determines appropriate.

B. Members shall serve without salary or compensation.

Section 8. Each and every provision of this Ordinance shall be deemed severable. In the event that any portion of this Ordinance is determined by final order of a court of competent jurisdiction to be void or unenforceable, such determination shall not affect the validity of the remaining provisions thereof, provided the intent of this Ordinance can still be furthered without the invalid provision.

Section 9. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

Introduced the _____ day of _____, 2011.

Passed by the City Council on the ____ day of _____ 2011.

_____
David K. Zabell, City Manager

ATTEST:

_____
Cindy Dunn, City Clerk

APPROVED AS TO FORM:

_____
Loren D. Combs, City Attorney

Published: _____, 2011

Effective Date: _____, 2011