

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

NOTICE OF INTRODUCTION OF ORDINANCE
AND
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Snohomish County Council will hold a public hearing to consider Proposed Ordinance 22-031, on Wednesday, September 21, 2022, at the hour of 10:30 a.m. at 3000 Rockefeller Avenue, 8th Floor, Jackson Board Room, Everett, WA, in conjunction with a remote meeting platform via the following Zoom link:

Zoom Webinar link: <https://zoom.us/j/94846850772>

Dial in: (253) 215 8782 or (301) 715 8592

Meeting ID: 948 4685 0772

Note: Please check the Council webpage 24 hours prior to the scheduled hearing time for the most up-to-date information <https://snohomish.legistar.com/Calendar.aspx>, or contact the Council Clerk at 425-388-3494 or at contact.council@snoco.org.

PROPOSED ORDINANCE NO. 22-031

RELATING TO FUNDING THE COUNTY ARTS PROGRAM, SETTING MAXIMUM DOLLAR
AMOUNT FOR PROJECTS TO BE SUBJECT TO 1% CONTRIBUTION TO ARTS FUND;
AMENDING CHAPTER 2.95 SNOHOMISH COUNTY CODE

Section 1. Snohomish County Code Section 2.95.020, last amended by Ordinance No. 18-047 on July 30, 2018, is amended to read:

2.95.020 Definitions.

In this chapter, unless the context clearly requires otherwise,

- (1) "arts commission" means the Snohomish county arts commission established by SCC 2.95.010;
- (2) "arts fund" means the fund created by SCC 2.95.080;
- (3) "arts program" means the arts program established pursuant to SCC 2.95.050;
- (4) "arts program administration" means staff responsibilities incidental to aiding the arts commission in implementing this chapter;
- (5) "the arts" means all visual and performing artistic media. Visual media include but are not limited to drawing, tapestry, weaving, painting, mural, fresco, sculpture, mosaic, photograph, calligraphy, collage, assemblage, artist made or designed building parts, floor, wall or ceiling treatments, railings, corbels, lintels, beams, benches, and structural or functional elements of a building or structure. Performing media include but are not limited to music, theater, dance, storytelling, and performance art, and;
- (6) "cost" of a county construction project means only the county-funded portion of a county construction project, provided that the "cost" shall not include the cost of real property acquisition, equipment or furnishings, and provided further that if the source of construction funding or other applicable law precludes the arts as an object of expenditure of funds, "cost" shall exclude the funds so precluded;
- (7) "county construction project" means any project funded wholly or in part by the county to construct or remodel any building, park or public space owned wholly or in part by the county, provided that such project has a cost of at least \$100,000, ~~((but less than \$10,000,000))~~ and provided further that "county construction project" shall not mean a project or portion of project involving county public roads, surface water management, airport airfield or airport lease related structures; and
- (8) "works of art" mean products of the arts. Works of art may also include an area or space specifically designed, constructed and managed as a display area for visual media or a performance venue for performing media.

Section 2. Snohomish County Code Section 2.95.080, last amended by Ordinance No. 08-067 on May 7, 2008, is amended to read:

(1) The arts fund is hereby established

(2) The budget for each county construction project that has a cost of no more than \$50,000,000 shall include an amount equal to 1% of the cost of the county construction project as defined in 2.95.020(6) and 2.95.020(7), which amount shall be deposited in the arts fund from the funds identified in that budget. The department responsible for the county construction project shall make or initiate the deposit into the arts fund. The county finance committee shall develop a policy that establishes the time and manner for the making of these deposits into the arts fund.

(3) The budget for each county construction project that has a cost of at least \$50,000,000 may include an amount equal to 1% of the cost of the county construction project as defined in 2.95.020(6) and 2.95.020(7), which amount shall be deposited in the arts fund from the funds identified in that budget. The department responsible for the county construction project shall make or initiate the deposit into the arts fund. The county finance committee shall develop a policy that establishes the time and manner for the making of these deposits into the arts fund.

~~((3))~~ (4) The county may in the budget ordinance provide for additional contributions to the arts fund.

~~((4))~~ (5) Private or other public contributions to the county for the arts, including but not limited to grants, bequests and gifts, shall be deposited in the arts fund. At the request of the donor, a contribution may be limited to a particular work or works of art as approved by the county executive and county council acting by motion.

~~((5))~~ (6) Any other proceeds or revenues dedicated to the county arts program shall be deposited into the arts fund.

~~((6))~~ (7) The costs of arts program administration may be paid from the arts fund.

~~((7))~~ (8) Amounts on deposit in the arts fund, less the costs of arts program administration, shall be expended only on works or art recommended by the arts commission and approved by the county executive pursuant to SCC 2.10.010 and thereafter approved by the county council pursuant to SCC 2.95.040(2). Expenditures from the arts fund may be made to create works of art, to acquire works of art, and to install, display, maintain or perform works of art. All expenditures from the arts fund shall be subject to appropriation by the county council.

The Council will also consider the following Proposed Substitute Ordinance:

PROPOSED SUBSTITUTE ORDINANCE NO. 22-031

RELATING TO FUNDING THE COUNTY ARTS PROGRAM, ELIMINATING MAXIMUM DOLLAR AMOUNT FOR PROJECTS TO BE SUBJECT TO 1% CONTRIBUTION TO ARTS FUND; AMENDING CHAPTER 2.95 SNOHOMISH COUNTY CODE

Section 1. Snohomish County Code Section 2.95.020, last amended by Ordinance No. 18-047 on July 30, 2018, is amended to read:

2.95.020 Definitions.

In this chapter, unless the context clearly requires otherwise,

(1) "arts commission" means the Snohomish county arts commission established by SCC 2.95.010;

(2) "arts fund" means the fund created by SCC 2.95.080;

(3) "arts program" means the arts program established pursuant to SCC 2.95.050;

(4) "arts program administration" means staff responsibilities incidental to aiding the arts commission in implementing this chapter;

(5) "the arts" means all visual and performing artistic media. Visual media include but are not limited to drawing, tapestry, weaving, painting, mural, fresco, sculpture, mosaic, photograph, calligraphy, collage, assemblage, artist made or designed building parts, floor, wall or ceiling treatments, railings, corbels, lintels, beams, benches, and structural or functional elements of a building or structure. Performing media include but are not limited to music, theater, dance, storytelling, and performance art, and;

(6) "cost" of a county construction project means only the county-funded portion of a county construction project, provided that the "cost" shall not include the cost of real property acquisition, equipment or furnishings, and provided further that if the source of construction

funding or other applicable law precludes the arts as an object of expenditure of funds, "cost" shall exclude the funds so precluded;

(7) "county construction project" means any project funded wholly or in part by the county to construct or remodel any building, park or public space owned wholly or in part by the county, provided that such project has a cost of at least \$100,000, ~~((but less than \$10,000,000))~~ and provided further that "county construction project" shall not mean a project or portion of project involving county public roads, surface water management, airport airfield or airport lease related structures; and

(8) "works of art" mean products of the arts. Works of art may also include an area or space specifically designed, constructed and managed as a display area for visual media or a performance venue for performing media.

The Council may also consider additional alternatives/amendments to the proposed ordinance and proposed substitute ordinance.

Where to Get Copies of the Proposed Ordinance: Copies of the full ordinance and related documentation are available upon request by calling the Snohomish County Council Office at (425) 388-3494, 1-800-562-4367 x3494, TDD 1-800-877-8339, or by e-mailing Contact.Council@snoco.org.

Website Access: The ordinance and related documents can be accessed through the Council's website at <https://snohomish.legistar.com/Legislation.aspx> (File 2022-0772) or <https://snohomishcountywa.gov/2134/Council-Hearings-Calendar> - Hearings Calendar.

Public Testimony: All interested persons may testify concerning the above-described matter at the time and place indicated above or by remote participation in the meeting. Written testimony is encouraged and may be sent to Snohomish County Council, 3000 Rockefeller Avenue, M/S 609, Everett, WA 98201, faxed to 425 388-3496, or e-mailed to contact.council@snoco.org. Submitting testimony 24 hours prior to the hearing will ensure copies are provided to Council and appropriate staff in advance of the hearing. (Note: All public testimony are public records and may be subject to disclosure pursuant to RCW Chapter 42.56. Any contact information provided will be available to the public on the Council's website.)

American Disabilities Act Notice: Accommodations for persons with disabilities are available upon request. Please make arrangements one week prior to the hearing by calling Elena Lao at 425-388-3494, 1-800-562-4367 x3494, TDD 1-800-877-8339, or e-mail elena.lao@snoco.org.

DATED this 1st day of September, 2022.


Asst. Clerk of the Council

PUBLISH: September 7, 2022

Send Affidavit to: Council
Send Invoice to: Council 104482