

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adopting Ordinance No.770 Repealing All Prior City of Shoreline Public Art Policies
DEPARTMENT:	Parks, Recreation and Cultural Services
PRESENTED BY:	Eric Friedli, PRCS Director
ACTION:	<input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT: On August 26, 2002, the City Council adopted Ordinance No. 312, establishing a Municipal Art Fund and codifying regulations to implement the fund in Shoreline Municipal Code (SMC) 3.35.150. As provided in SMC 3.35.150(A), all expenditures from the Municipal Art Fund are restricted to those approved through a Public Art Policy that was originally approved by the City Council in Ordinance No. 312.

In 2009, the City Council, by motion, adopted an updated Public Art Policy. In 2013 the Director of Parks, Recreation, and Cultural Services Department amended the 2009 Public Art Policy, which was filed under City Clerk's Receiving No. 7364, but was not submitted to the City Council for approval. Since SMC 3.35.150 requires City Council approval, the 2009 Public Art Policy should be considered to be the last policy approved by the City Council.

The Public Art Policy needs to be updated to better reflect the actual processes currently involved in bringing public art to Shoreline. Ordinance No. 770 (Attachment A) will repeal not only the Public Art Policy adopted via Ordinance No. 312 and the one approved by Council in 2009, but also all previous Public Art Policies that may somehow exist. Resolution No. 405 adopts a new Public Art Policy, which will be presented in another Staff report.

The City Council held a discussion of this proposal at its February 13, 2017 meeting.

RESOURCE/FINANCIAL IMPACT:

There is no financial impact associated with this action.

RECOMMENDATION

Staff recommends Council adopt Ordinance No. 770 Repealing All Prior City of Shoreline Public Art Policies (Attachment A).

Approved By: City Manager ***DT*** City Attorney ***JA-T***

ATTACHMENTS

Attachment A: Ordinance No.770 Repealing All Prior City of Shoreline Public Art Policies

ORDINANCE NO. 770

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON
REPEALING ALL PRIOR CITY OF SHORELINE PUBLIC ART
POLICIES.**

WHEREAS, on August 26, 2002, the City Council adopted Ordinance 312, establishing a Municipal Art Fund and codifying regulations to implement the fund at Shoreline Municipal Code (SMC) 3.35.150; and

WHEREAS, as provided in SMC 3.35.150(A), all expenditures from the Municipal Art Fund are restricted to those approved through a Public Art Policy approved by the City Council; and

WHEREAS, Ordinance 312 also adopted the City's Public Art Policy, which was filed under City Clerk's Receiving No. 1883 (2002 Public Art Policy); and

WHEREAS, on July 27, 2009, the City Council, by motion, adopted an updated Public Art Policy (2009 Public Art Policy); and

WHEREAS, on January 24, 2013, the Director of Parks, Recreation, and Cultural Services Department amended the 2009 Public Art Policy (2013 Public Art Policy), which was filed under City Clerk's Receiving No. 7364, but was not submitted to the City Council for approval; and

WHEREAS, since SMC 3.35.150(A) requires the Municipal Art fund to be administered through a City Council-approved public art policy, and given the history of approval by both ordinance and motion or no approval at all, all prior public art policies should be repealed to ensure only a City Council-approved policy is utilized; and

WHEREAS; subsequent to the repeal of all prior public art policies, a new Public Art Policy will be approved by the City Council via Resolution 405; and

WHEREAS, on February 13, 2017, the City Council held a study session on the repeal of all prior public art policies; and

WHEREAS, the City Council has considered all relevant information in the public record and all public comments, written and oral;

**THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE,
WASHINGTON DO ORDAIN AS FOLLOWS:**

Section 1. Repeal. All prior Public Art Policies, approved or unapproved by the City Council, including the 2002 Public Art Policy, the 2009 Public Art Policy, and the 2013 Public Art Policy, are repealed in their entirety and shall have no force and effect.

Section 2. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.

Section 3. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any person or situation.

Section 4. Publication and Effective Date. A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON 6th DAY OF MARCH, 2017.

Mayor Christopher Roberts

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik-Smith
City Clerk

Margaret King
City Attorney

Date of Publication: , 2017
Effective Date: , 2017