

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

COPY

ORDINANCE NO. 1117

Amending MCC §§7.450 et seq. Relating to Art Acquisition

(Language ~~stricken~~ is deleted; double underlined language is new.)

The Multnomah County Board of Commissioners Finds:

- a. The Public Art Program was established in 1980. Ordinances provided for the Metropolitan Arts Commission (MAC) management and collection of funds for the Percent for Public Art Programs for Multnomah County, the City of Portland, and Metro. MAC was responsible for selection, acquisition, siting, maintenance, administration, deaccessioning, community education, and registration of Public Art of the City/County Public Art Collection.
- b. MAC restructured into a nonprofit organization, the Regional Arts and Culture Council, in order to implement the Arts Plan 2000+ and Metro Regional Arts Funding Task Force recommendations to provide cost effective, efficient and flexible services.
- c. The purpose of Multnomah County investment in the arts is to promote access, inclusion and excellence in the arts, to leverage other resources, and to enhance the arts contribution to human services, economic vitality, educational opportunities, neighborhood and community revitalization, economic vitality and overall quality of life.
- d. To reflect the ongoing support for arts in Multnomah County, it is necessary to update the code sections relating to art acquisition to raise the percentage for art to 2% and reflect what type of construction projects trigger the Percent for Public Arts Program.

Multnomah County Ordains as follows:

Section 1. MCC §7.450 is amended as follows:

ART ACQUISITION

§ 7.450 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context requires a different meaning.

CONSTRUCTION PROJECT or ALTERATION. Construction of a new building where the construction cost exceeds \$1,000,000 and projects for the rehabilitation, renovation or improvement of existing County buildings or to premises leased by the County where the project construction cost exceeds \$200,000, ~~rehabilitation, renovation, remodeling or improvement.~~

CONSTRUCTION COST. The actual ~~Actual~~ construction cost of a new building or a rehabilitation, renovation or improvement to an existing County building or premises leased by the County. Construction Cost does not include ~~excluding~~ planning, architectural, engineering, consultant and administrative costs, costs for fees, and permits, testing, inspections, and indirect cost, such as, interest paid during construction, advertising and legal fees and all other indirect costs. Construction Cost does not include the cost of furnishings for the new building.

~~———— **COUNTY BUILDING.** All county buildings except service facilities not normally visited by the public, such as maintenance sheds, bridges and similar structures, and does not include roads.~~

~~———— **MAJOR COUNTY CONSTRUCTION PROJECT.** A construction project which involves the construction or alteration of a county building with an estimated construction cost of \$50,000 or more.~~

Section 2. MCC §7.451 is amended as follows:

§ 7.451 POLICY.

It is the policy of the county that each ~~major county construction project which involves the construction or alteration of county buildings~~ shall have an appropriate display of art integrated into the project in order to provide a more beneficial atmosphere and energizing environment.

Section 3. MCC §7.452 is amended as follows:

§ 7.452 FUNDING.

(A) ~~One and thirty-three one hundredths~~ Two percent of the construction costs of each construction project, capital improvement costs, budgets, development funds and purchase prices listed in § 7.453 of this subchapter shall be set aside for the acquisition of art. The acquired art may be an integral part of the newly acquired building or property attached thereto or be capable of display in other public buildings or on other public property. Siting variances may be granted by the Board.

(B) ~~Thirty-three one hundredths percent of~~ The 1.332% set aside in division (A) of this section shall be allocated as follows: 1.26% for art; .54% to dedicated solely for use by the regional arts and culture council Regional Arts and Culture Council for management and administration of the art; and .20% for use by the Regional Arts and Culture Council for the purpose of payment of administration, public education, or maintenance costs of the commission's percent for art program.

Section 4. MCC §7.453 is deleted as follows:

~~**§ 7.453 FUNDING SOURCES.**~~

~~———— The following shall be subject to the art acquisition policy referred to in § 7.452 of this subchapter:~~

~~———— (A) Construction cost of a major county construction project involving the construction or alteration of a county building;~~

~~———— (B) The capital improvement budget in the division of facilities management;~~

~~———— (C) The purchase price of any building, including the appurtenant land, acquired by the county for use in whole or part by the county.~~

Section 5. MCC §7.454 is amended as follows:

§ 7.454 ADMINISTRATION.

The Regional Arts and Culture Council ~~regional arts and culture council~~ shall in its discretion administer the provisions of this subchapter relating to art acquisition and display.

Section 6. MCC §7.455 is amended as follows:

§ 7.455 ADOPTION OF GUIDELINES.

The ~~Regional Arts and Culture Council~~ regional arts and culture council shall have the authority:

- (A) To determine the cases in which it would be inappropriate to display art in a county building;
- (B) To identify suitable art objects for county buildings;
- (C) To encourage the preservation of ethnic cultural arts and crafts, including Pacific Northwest Indian arts;
- (D) To facilitate the preservation of art objects and artifacts that may be displaced by a construction project;
- (E) To prescribe a method or methods of competitive selection of art objects for display;
- (F) To prescribe procedures for the selection, acquisition and display of art in county buildings; and
- (G) To set forth any other matter appropriate to the administration of this subchapter.

Section 7. MCC §7.456 is amended as follows:

§ 7.456 REGIONAL ARTS AND CULTURE COUNCIL'S DECISION FINAL.

The ~~council's~~ decision of the Regional Arts and Culture Council as to the selection, acquisition, allocation and display of art objects shall be final.

FIRST READING:

July 31, 2008

SECOND READING AND ADOPTION:

August 07, 2008



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler
Ted Wheeler, Chair

REVIEWED:

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