



DEPARTMENT OF PARKS  
AND COMMUNITY SERVICES

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CALIFORNIA

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PARKS  
RECREATION  
ZOO

WALTER S. UEDA  
DEPUTY DIRECTOR

December 14, 1990

Joint Budget and Finance/Transportation and  
Community Development Committee  
Sacramento, California

SUBJECT: Proposed revisions to Article IV Chapter 60 of the  
Sacramento City Code, relating to the Sacramento  
Metropolitan Arts Commission.

SUMMARY

This report recommends amendments to Sections 60.61, 60.65, 60.67, 60.68, 60.72, 60.73, and 60.74 of the Sacramento City Code and deletion of Sections 60.69 and 60.70 related to the Sacramento Metropolitan Arts Commission. The proposed amendments cover sections on definitions, powers, duties, and responsibilities of the Commission. Sections related to the Metropolitan Arts Fund and City-County jointly owned Acquisitions are recommended for deletion. A report recommending similar revisions to the Sacramento County Code will also be brought before the County Board of Supervisors.

This report was heard by the Transportation and Community Development Committee on December 11, 1990 and it was recommended that the report be heard by the joint committee before being forwarded to the Council for action.

BACKGROUND

In 1987 the Sacramento Metropolitan Arts Commission, a joint City/County agency, began a review process of the Commission's enabling legislation adopted by the City and County of Sacramento in 1977. The Commission felt that with the substantial growth of the organization over the last ten years, it was time to look at the ordinances to see whether or not the policies and procedures set forth in 1977 were still applicable

today. The Commission found that there were inconsistencies between the City and County ordinances and that in certain instances the language of the ordinances needed to conform to established City administrative policies. In addition, the Commission felt that the ordinances needed to be updated to reflect new policies and procedures adopted by the Commission concerning the Commission's annual workplan and budget review process.

The proposed changes were discussed at a special budget workshop of the Art Commission on January 24, 1987, at which County budget analyst Charlene Rasmussen and Leisure Services representative Ron Suter were present. The changes were initially reviewed by the Sacramento Metropolitan Arts Commission at its February 4, 1987 meeting and received final approval at the January 11, 1989 meeting. In addition, City Finance staff and County Administrative staff have also reviewed these changes. Both the City Attorney's Office and County Counsel have also reviewed and concur with the proposed changes.

The proposed changes involve: (1) the renumbering and prioritizing of the sections on definitions and powers and duties of the Commission and (2) the deletion of Section 60.69 regarding the Metropolitan Arts Fund is recommended because the Commission has historically followed established City policies as it relates to receipt of outside contributions, i.e., grants, which are deposited into the City's Operating Grant Fund. The deletion of Section 60.70 is proposed because there are no joint acquisitions made by the Arts Commission on behalf of the City and County.

The Metropolitan Arts Fund, a special fund, was originally established by ordinance for the purpose of receiving outside revenues, e.g. earned income, private, local, state and federal grants, for specific programs and activities. Corporate grants and other outside funds are solicited by Friends of the Arts Commission in support of the Commission's activities. These funds are also deposited into the City's Operating Grant Fund. Friends is a non-profit tax-exempt 501(c)3 agency and maintains its own funds and accounting procedures. The Sacramento Metropolitan Arts Commission submits an annual request to Friends detailing its needs for funding and proposed program for support. The current balance in the Metropolitan Arts Fund is comprised of earned income totalling \$6,529 as of October 30, 1990. This and any earned income funds received will be maintained in a special revenue fund set up through regular City accounting procedures.

#### FINANCIAL DATA

The proposed changes have no financial impact.

POLICY CONSIDERATIONS

The Sacramento Metropolitan Arts Commission is a City and County agency and action taken on changes relating to its enabling ordinances requires joint approval.

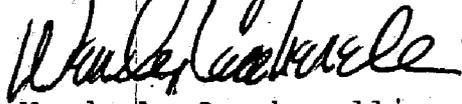
WBE/MBE

Not applicable.

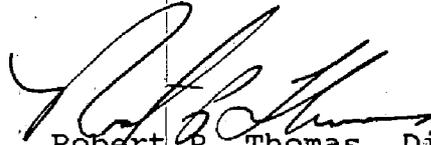
RECOMMENDATION

It is recommended that the Transportation and Community Development Committee approve this report and forward it to the full City Council for action.

Respectfully submitted,

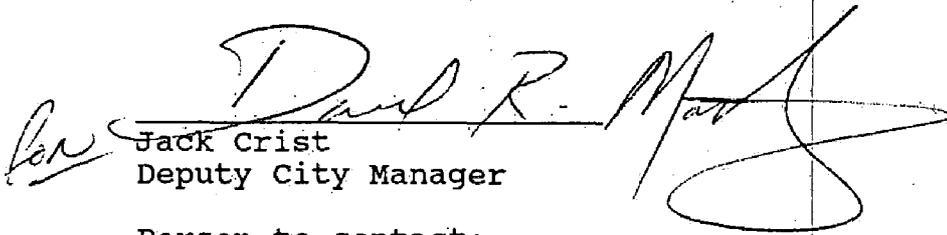


Wendy A. Ceccherelli  
Director



Robert P. Thomas, Director  
Parks and Community Services

Recommendation Approved:



Jack Crist  
Deputy City Manager

Person to contact:  
Wendy Ceccherelli, Director  
449-5558

January 3, 1991  
All Districts

Attachments

Christy7/Codechnng

# ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

AN ORDINANCE AMENDING SECTIONS 60.61, 60.65, 60.67, 60.68, 60.72, 60.73 AND 60.74 OF THE SACRAMENTO CITY CODE AND DELETING SECTIONS 60.69 AND 60.70, RELATING TO THE METROPOLITAN ARTS COMMISSION

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

## SECTION 1.

Section 60.61 of the Sacramento City Code is hereby amended to read as follows:

### Sec. 60.61 Definitions.

As used in this article, the following definitions apply:

- (a) **Board:** The board of supervisors of Sacramento County.
- (b) **City:** The City of Sacramento.
- (c) **Commission:** The Sacramento Metropolitan Arts Commission.
- (d) **Council:** The City Council of the City of Sacramento.
- (e) **County:** The County of Sacramento.
- (f) **Mayor:** The mayor of the City of Sacramento.
- (g) **Member:** A person appointed as a member of the commission. (Ord. No. 37896, §1)

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ORDINANCE NO.: \_\_\_\_\_ 4

DATE ADOPTED

- (h) **Works of art or artworks:** Shall include, but not be limited to, all paintings, mural decoration, inscriptions, stained glass, fibre work, statues, reliefs or other sculptures, monuments, fountains, arches, or other structures, intended for ornament or commemoration. It shall also include, but not be limited to, works in the fields of music, literature, theater, dance and film. (Ord. No. 3796, §1)

**SECTION 2.**

Section 60.65 of the City Code is hereby amended to read as follows:

**Sec. 60.65 Regular meetings; compensation.**

The commission shall hold regular meetings at least once a month, at a time and place selected by majority vote of the entire commission. The members shall not be compensated for attendance at commission or committee meetings. For attendance at non-commission meetings or events, each member shall receive travel and subsistence expenses necessarily incurred in the discharge of his or her official duties as a commission member.

**SECTION 3.**

Section 60.67 of the Sacramento City Code is hereby amended to read as follows:

**Sec. 60.67 Powers and duties.**

The powers and duties of the commission shall be as follows:

- (a) To foster and develop support for the arts.
- (b) To advise the council and the board on all matters concerning the arts, including pending legislation.
- (c) To advise the council and the board on the allocation of funds in support of the arts, to establish firm and equitable standards for such allocations, and to evaluate those allocations annually.
- (d) To develop an awareness in the business community, in local government, and in the general public of the value of the arts to Sacramento.
- (e) To develop programs, subject to budgetary limitations, either alone or in cooperation with other private or public agencies, to provide accessibility to the arts for everyone and to encourage public participation in the arts.

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DATE ADOPTED: \_\_\_\_\_

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- (f) Except for works of art given to or purchased by museums, to review and make recommendations upon all works of art to be acquired by the city or county either by purchase or gift and to make recommendations concerning their proposed locations.
- (g) To review and make recommendations upon the program development and budget, master planning site development and building design of any local government public building project during the preliminary stages. Actions of the Council, Planning Commission, and Architectural Review Board shall not be delayed by such review.
- (h) To work with City and County departments to develop arts possibilities within each department.
- (i) To advise the city and county of, and to seek, state, federal, and private funds available in support of the arts.
- (j) To act as a liaison between the city and county, local artists and cultural groups, and the community at large.
- (k) To offer assistance to groups or individual artists in developing arts programs and in applying for public or private funds.
- (l) To develop, distribute, and sell publications of local (1) artists, (2) art groups, (3) spaces available for the fine and performing arts, and (4) services available to the arts. (Ord. No. 4335, §1)
- (m) To work with the fine and performing arts departments in local colleges and universities to encourage their participation in the community.
- (n) To work with school districts in an advocacy capacity to encourage arts and artists in the schools.
- (o) To research the needs of artists and the community, and then develop, and regularly up-date and evaluate progress against a five-year plan for the growth of the arts in Sacramento.
- (p) To establish an advisory committee to explore the future of the aesthetic quality of life in the community, with vision and imagination, and to report and recommend periodically to the commission.

- (q) To recommend to the council and board policies, programs and services to further the purposes of the commission, and to annually propose the budget and workplan of the commission and periodically review revenues and expenditures thereunder. (Ord. No. 3796, §1)
- (r) To advise and assist the city and county in other activities as may be referred to it by the council or board.

**SECTION 4.**

Section 60.68 of the Sacramento City Code is hereby amended to read as follows:

**Sec. 60.68 Joint participation; funding.**

- (a) County and city shall, within the limits of available funding, jointly share the cost of maintaining and financing the activities of the commission. The Division shall provide administrative staff and fiscal control services to the commission.
- (b) The city and county shall specify in the annual budget or through subsequent appropriations during the fiscal year, the amount of money to be expended.
- (c) The city as fiscal agent shall provide the initial financial outlay for administrative costs and expenditures. Upon receipt of itemized invoice for approved administrative costs and other expenditures, the county shall reimburse the city/fiscal agent.
- (d) The city as fiscal agent shall provide the county with an annual accounting of all income from private, local, state and federal sources, as well as profits earned from any source, including but not limited to the sale of artwork.
- (e) If the commission goes out of existence, the city and county shall divide equally any unspent funds which the commission has received from any source whatsoever.

**SECTION 5.**

Section 60.72 of the Sacramento City Code is hereby amended to read as follows:

**Sec. 60.72 Definitions.**

As used in section 60.71 through 60.74, the words and terms shall mean:

- (a) "Artworks" as included in the definitions contained in the city code section 60.61(h).
- (b) "Capital Improvement Program" means the annual program for city financed public improvement projects.
- (c) "Eligible Construction Project" means any capital project paid for wholly or in part by the City of Sacramento or the Parking Authority of the City of Sacramento to construct or remodel any building, decorative or commemorative structure, parking facility, recreational facility, or any portion thereof, located on city property within the limits of the City of Sacramento, provided that the source of funds for such project(s) is not restricted by law or regulation as to its use for artworks. (Ord. No. 4274, §2)

**SECTION 6.**

Section 60.73 of the Sacramento City Code is hereby amended to read as follows:

**Sec. 60.73 Funds for artworks.**

- (a) Not less than two percent (2%) of the total cost of any eligible construction project shall be expended for artworks. The city shall specify in the annual Capital Improvement Program budget or through subsequent capital improvement appropriations an amount of at least two (2) percent of total construction costs to be expended for works of art. Expenditures for artworks may include an amount for the administrative costs incurred in the process of selection and installation of artwork projects by the Metropolitan Arts Division of the Department of Parks and Community Services, and for costs incurred to maintain or repair artworks commissioned by the city pursuant to this Article. (Ord. No. 83-015)
- (b) If the source of funding or other applicable law or regulation with respect to any particular project prohibits or restricts the use of funds for artworks, the amount of funds so prohibited or restricted shall be excluded from the total project cost.
- (c) All funds involving properties undergoing historic restoration (or portion of those funds for restoration) or located in the Old Sacramento Redevelopment Areas, or single detached housing as part of a planned unit development, and publicly assisted rehabilitation or private property, shall be excluded as expenditures for artwork or artwork projects. (Ord. No. 4274, §2)

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DATE ADOPTED: \_\_\_\_\_

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**SECTION 7.**

Section 60.74 of the Sacramento City Code is hereby amended to read as follows:

**Sec. 60.74 Responsibilities of commission.**

The Arts Commission shall provide for the nature, selection, and placement of artwork projects. Such projects may be placed as an integral part of the construction or exhibited in, on, or about public facilities. Such projects may be attached or detached, within or about such property, and may be either temporary or permanent, in order to insure that the commission will be able to select the most appropriate and beneficial artwork project for the site, people, and community for which the artwork project is intended.

**SECTION 8.**

Sections 60.69 and 60.70 of the Sacramento City Code are hereby deleted.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

# ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**AN ORDINANCE AMENDING SECTIONS 60.61, 60.65, 60.67, 60.68, 60.72, 60.73 AND 60.74 OF THE SACRAMENTO CITY CODE AND DELETING SECTIONS 60.69 AND 60.70, RELATING TO THE METROPOLITAN ARTS COMMISSION**

**BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:**

## **SECTION 1.**

Section 60.61 of the Sacramento City Code is hereby amended to read as follows:

### **Sec. 60.61 Definitions.**

As used in this ~~division~~ article, the following definitions apply:

- (a) **Board:** The board of supervisors of Sacramento County.
- (b) **City:** The City of Sacramento.
- (c) **Commission:** The Sacramento Metropolitan Arts Commission.
- (d) **Council:** The City Council of the City of Sacramento.
- (e) **County:** The County of Sacramento.
- (f) **Mayor:** The mayor of the City of Sacramento.
- (g) **Member:** A person appointed as a member of the commission. (Ord. No. 37896, §1)

**FOR CITY CLERK USE ONLY**

ORDINANCE NO.: \_\_\_\_\_ 10

~~2-59(e)~~ (h) Works of art or artworks: ~~"Works of Art" as used in this section~~ shall include, but not be limited to, all paintings, mural decoration, inscriptions, stained glass, fibre work, statues, reliefs or other sculptures, monuments, fountains, arches, or other structures, intended for ornament or commemoration. It shall also include, but not be limited to, works in the fields of music, literature, theater, dance and film. (Ord. No. 3796, §1)

## SECTION 2.

Section 60.65 of the City Code is hereby amended to read as follows:

### **Sec. 60.65 Regular meetings; compensation.**

The commission shall hold regular meetings at least once a month, at a time and place selected by majority vote of the entire commission. The members shall not be compensated for attendance at commission or committee meetings. For attendance at non-commission meetings or events, each member shall receive travel and subsistence expenses necessarily incurred in the discharge of his or her official duties as a commission member.

## SECTION 3.

Section 60.67 of the Sacramento City Code is hereby amended to read as follows:

### **Sec. 60.67 Powers and duties.**

The powers and duties of the commission shall be as follows:

- (a) To foster and develop support for the arts.
- (d) (b) To advise the council and the board on all matters concerning the arts, including pending legislation.
- (e) (c) To advise the council and the board on the allocation of funds in support of the arts, to establish firm and equitable standards for such allocations, and to evaluate those allocations annually.
- (b) (d) To develop an awareness in the business community, in local government, and in the general public of the value of the arts to Sacramento.
- (e) (e) To develop programs, subject to budgetary limitations, either alone or in cooperation with other private or public agencies, to provide accessibility to the arts for everyone and to encourage public participation in the arts.

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ORDINANCE NO.: \_\_\_\_\_ //

DATE ADOPTED: \_\_\_\_\_

- (f) Except for works of art given to or purchased by museums, to review and make recommendations upon all works of art to be acquired by the city or county either by purchase or gift and to make recommendations concerning their proposed locations.
- (g) To review and make recommendations upon the program development and budget, master planning site development and building design of any local government public building project during the preliminary stages. Actions of the Council, Planning Commission, and Architectural Review Board shall not be delayed by such review.
- (h) To work with City and County departments to develop arts possibilities within each department.
- ~~(i) To make recommendations to the City and County Planning Commissions to develop an aesthetically pleasing growth pattern for Sacramento City and County.~~
- ~~(j) To work with city and county agencies to preserve the architectural and environmental heritages of the City and County.~~
- (k) (i) To advise the city and county of, and to seek, state, federal, and private funds available in support of the arts.
- (l) (j) To act as a liaison between the city and county, local artists and cultural groups, and the community at large.
- (m) (k) To offer assistance to groups or individual artists in developing arts programs and in applying for public or private funds.
- (n) (l) To develop, distribute, and sell publications of local (1) artists, (2) art groups, (3) spaces available for the fine and performing arts, and (4) services available to the arts. (Ord. No. 4335, §1)
- (o) (m) To work with the fine and performing arts departments in local colleges and universities to encourage their participation in the community.
- (p) (n) To work with school districts in an advocacy capacity to encourage arts and artists in the schools.
- (q) (o) To research the needs of artists and the community, and then develop, and regularly up-date and evaluate progress against a five-year plan for the growth of the arts in Sacramento.

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ORDINANCE NO.: \_\_\_\_\_ 12

DATE ADOPTED: \_\_\_\_\_

- (r) (p) To establish an advisory committee to explore the future of the aesthetic quality of life in the community, with vision and imagination, and to report and recommend periodically to the commission.
- (q) To recommend to the council and board policies, programs and services to further the purposes of the commission, and to annually propose the budget and workplan of the commission and periodically review revenues and expenditures thereunder. (Ord. No. 3796, §1)
- (s) (r) To advise and assist the city and county in other activities as may be referred to it by the council or board.

**SECTION 4.**

Section 60.68 of the Sacramento City Code is hereby amended to read as follows:

**Sec. 60.68 Joint participation; funding.**

~~The council and the board shall jointly share in the cost of maintaining the commission and shall appropriate sufficient funds to finance the activities of the commission. The City shall be the fiscal agent for the commission. (Ord. No. 3796, §1)~~

- (a) County and city shall, within the limits of available funding, jointly share the cost of maintaining and financing the activities of the commission. The Division shall provide administrative staff and fiscal control services to the commission.
- (b) The city and county shall specify in the annual budget or through subsequent appropriations during the fiscal year, the amount of money to be expended.
- (c) The city as fiscal agent shall provide the initial financial outlay for administrative costs and expenditures. Upon receipt of itemized invoice for approved administrative costs and other expenditures, the county shall reimburse the city/fiscal agent.
- (d) The city as fiscal agent shall provide the county with an annual accounting of all income from private, local, state and federal sources, as well as profits earned from any source, including but not limited to the sale of artwork.
- (e) If the commission goes out of existence, the city and county shall divide equally any unspent funds which the commission has received from any source whatsoever.

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ORDINANCE NO.:

DATE ADOPTED:

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**SECTION 5.**

Section 60.72 of the Sacramento City Code is hereby amended to read as follows:

**Sec. 60.72 Definitions.**

As used in section 60.71 through 60.74, the words and terms shall mean:

- (a) "Artworks" as included in the definitions contained in the city code section ~~2.59(e)~~ 60.61(h).
- (b) "Capital Improvement Program" means the annual program for city financed public improvement projects.
- (c) "Eligible Construction Project" means any capital project paid for wholly or in part by the City of Sacramento or the Parking Authority of the City of Sacramento to construct or remodel any building, decorative or commemorative structure, parking facility, recreational facility, or any portion thereof, located on city property within the limits of the City of Sacramento, provided that the source of funds for such project(s) is not restricted by law or regulation as to its use for artworks. (Ord. No. 4274, §2)

**SECTION 6.**

Section 60.73 of the Sacramento City Code is hereby amended to read as follows:

**Sec. 60.73 Funds for artworks.**

- (a) Not less than two percent (2%) of the total cost of any eligible construction project shall be expended for artworks. The city shall specify in the annual Capital Improvement Program budget or through subsequent capital improvement appropriations an amount of at least two (2) percent of total construction costs to be expended for works of art. Expenditures for artworks may include an amount for the administrative costs incurred in the process of selection and installation of artwork projects ~~for administrative costs incurred by the Metropolitan Arts Division of the Department of Parks and Community Services, and for costs incurred to maintain or repair artworks commissioned by the city pursuant to this Article.~~ (Ord. No. 83-015)
- (b) If the source of funding or other applicable law or regulation with respect to any particular project prohibits or restricts the use of funds for artworks, the amount of funds so prohibited or restricted shall be excluded from the total project cost.

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ORDINANCE NO.: \_\_\_\_\_ 14

DATE ADOPTED: \_\_\_\_\_

- (c) All funds involving properties undergoing historic restoration (or portion of these funds for restoration) or located in the Old Sacramento Redevelopment Areas, or single detached housing as part of a planned unit development, and publicly assisted rehabilitation of private property, shall be excluded as expenditures for artwork or artwork projects. (Ord. No. 4274, §2)

### SECTION 7.

Section 60.74 of the Sacramento City Code is hereby amended to read as follows:

#### Sec. 60.74 Responsibilities of commission.

- (a) The Arts Commission shall provide for the nature, selection, and placement of artwork projects. Such projects may be placed as an integral part of the construction or exhibited in, on, or about public facilities. Such projects may be attached or detached, within or about such property, and may be either temporary or permanent, in order to insure that the commission will be able to select the most appropriate and beneficial artwork project for the site, people, and community for which the artwork project is intended.
- ~~(b) Except as otherwise provided by the council or city code section 258(a), implementation of this ordinance shall be accomplished in accordance with a procedure to be established by resolution of the city council. Such procedure shall include a selection process for the commissioning of artworks or artists through open entries, limited entries, or direct selection. (Ord. No. 4274, §2)~~

### SECTION 8.

Sections 60.69 and 60.70 of the Sacramento City Code are hereby deleted.

#### ~~Sec. 60.69 Metropolitan Arts Fund.~~

- ~~(a) There is established in the city treasury a special fund designated "Metropolitan Arts Fund."~~
- ~~(b) Private, local, state and federal funds obtained for the acquisition or commissioning of works of art, or other purposes consistent with the function of the commission, shall be deposited in the Metropolitan Arts Fund and shall be used exclusively for the purposes and functions for which appropriated, specified or donated. The commission's operating funds appropriated by the city and county pursuant to Sec. 258 shall not be deposited in the Metropolitan Arts Fund.~~

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ORDINANCE NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

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- ~~(c) The city shall specify in the annual Capital Improvement Program budget or through subsequent capital improvement appropriations an amount of at least two (2) percent of total construction costs to be expended for works of art. Contracts for expenditures in excess of ten thousand (\$10,000) dollars for the purchase or commissioning of works of art or for other purposes consistent with the function of the commission shall be approved by the council. Contracts for expenditures in the amount of ten thousand (\$10,000) dollars or less for the purchase of works of art or for other purposes consistent with the functions of the commission shall be approved by the city manager. (Ord. No. 4274, §1)~~
- ~~(d) If the commission goes out of existence, money in the Metropolitan Arts Fund which was acquired by the commission or acquired jointly by the city and county shall be divided equally by the city and county.~~
- ~~(e) "Works of Art" as used in this section shall include, but not be limited to, all paintings, mural decoration, inscriptions, stained glass, fibre work, statues, reliefs or other sculptures, monuments, fountains, arches, or other structures, intended for ornament or commemoration. It shall also include, but not be limited to, works in the fields of music, literature, theater, dance and film. (Ord. No. 3796, §1)~~

~~Sec. 60.70 Acquisitions - Ownership.~~

~~Unless otherwise expressly provided by the council and board or the city manager and county executive when approving a particular acquisition pursuant to section 2.59, all acquisitions shall be acquired as the jointly owned property of the city and the county. Each such acquisition shall permanently remain jointly owned, unless some other specific disposition of the acquisition is provided for by action of the council and the board. (Ord. No. 3796, §1)~~

DATE PASSED FOR PUBLICATION:  
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DATE EFFECTIVE:

ATTEST:

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CITY CLERK

\_\_\_\_\_  
MAYOR

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FOR CITY CLERK USE ONLY

ORDINANCE NO.: \_\_\_\_\_ 16

DATE ADOPTED: \_\_\_\_\_

SCC NO. \_\_\_\_\_

**AN ORDINANCE AMENDING AND REPEALING  
SECTIONS OF CHAPTER 2.96. OF THE  
SACRAMENTO COUNTY CODE RELATING TO THE  
SACRAMENTO METROPOLITAN ARTS COMMISSION**

The Board of Supervisors of the County of Sacramento, State of California, does ordain as follows:

SECTION 1. Section 2.96.030 contained in Chapter 2.96, of the Sacramento County Code, is hereby amended to read as follows:

2.96.030 DEFINITIONS. As used in this chapter:

(1) "Board" means the Board of Supervisors of Sacramento County;

(2) "City" Means the City of Sacramento;

(3) "Commission" means the Sacramento Metropolitan Arts Commission;

(4) "Council" means the City council of the City of Sacramento;

(5) "County" means the County of Sacramento;

(6) "Mayor" means the mayor of the City of Sacramento;

(7) "Member" means a person appointed as a member of the commission;

(8) "Works of Art" means works including but not limited to all paintings, mural decorations, inscriptions, stained glass, fiber work, statues, reliefs or other sculptures, monuments, fountains, arches, or other structures intended for ornament or commemoration. It shall also include, but not be limited to, works in the fields of music, literature, theater, dance and film.

**SECTION 2.** Section 2.96.070 contained in Chapter 2.96, of the Sacramento County Code, is hereby amended to read as follows:

**2.96.070 REGULAR MEETINGS AND COMPENSATION.** The commission shall hold regular meetings at least once a month, at a time and place selected by majority vote of the entire commission. The members shall not be compensated for attendance at commission or committee meetings. For attendance at non-commission meetings or events, each member shall receive travel and subsistence expenses necessarily incurred in the discharge of his or her official duties as a commission member.

**SECTION 3.** Section 2.96.090 contained in Chapter 2.96, of the Sacramento County Code, is hereby amended to read as follows:

**2.96.090 POWERS AND DUTIES.** The powers and duties of the commission shall be as follows:

- (1) To foster and develop support for the arts.
- (2) To advise the council and the board of all matters concerning the arts, including pending legislation.
- (3) To advise the council and the board on the allocation of funds in support of the arts, to establish firm and equitable standards for such allocations, and to evaluate those allocations annually.
- (4) To develop an awareness in the business community, in local government, and in the general public of the value of the arts to Sacramento.
- (5) To develop programs, subject to budgetary limitations, either alone or in cooperation with other private or public

agencies, to provide accessibility to the arts for everyone and to encourage public participation in the arts.

(6) Except for works of art given to or purchased by museums, to review and make recommendations upon all works of art to be acquired by the city or county either by purchase or gift and to make recommendations concerning their proposed locations.

(7) To review and make recommendations upon the program development and budget, master planning site development and building design of any local government public building project during the preliminary stages. Actions of the Council, Planning Commission, and Architectural Review Board shall not be delayed by such review.

(8) To work with City and County departments to develop art possibilities within each department.

(9) To advise the city and county of, and to seek, state, federal, and private funds available in support of the arts.

(10) To act as a liaison between the city and county, local artists and cultural groups, and the community at large.

(11) To offer assistance to groups or individual artists in developing art programs and in applying for public or private funds.

(12) To develop, distribute, and sell publications of local (a) artists, (b) art groups, (c) spaces available for the fine and performing arts, and (d) services available to the arts.

(13) To work with the fine and performing art departments in local colleges and universities to encourage their participation in the community.

(14) To encourage art and artists in local schools.

(15) To research the needs of artists and the community, and then develop and regularly up-date and evaluate progress against a five-year plan for the growth of the arts in Sacramento.

(16) To establish an advisory committee to explore the future of the aesthetic quality of life in the community, with vision and imagination, and to report and recommend periodically to the commission.

(17) To recommend to the council and board policies, programs and services to further the purposes of the commission, and to annually propose the budget and workplan of the commission with periodic review of revenues and expenditures thereunder.

(18) To advise and assist the city and county in other activities as may be referred to it by the council or board.

SECTION 4. Section 2.96.100 contained in Chapter 2.96, of the Sacramento County Code, is hereby amended to read as follows:

**2.96.100 JOINT PARTICIPATION AND FUNDING.**

(1) County and city shall, within the limits of available funding, jointly share the cost of maintaining and financing the activities of the commission. The Division shall provide administrative staff and fiscal control services to the commission.

(2) The city and county shall specify in the annual budget or through subsequent appropriations during the fiscal year, the amount of money to be expended.

(3) The city as fiscal agent shall provide the initial financial outlay for administrative costs and expenditures. Upon receipt of itemized invoices for approved administrative costs and other expenditures, the county shall partially reimburse the city/fiscal agent.

(4) The city as fiscal agent shall provide the county with an annual accounting of all income from private, local, state and federal sources, as well as profits earned from any source, including but not limited to the sale of artwork.

(5) If the commission goes out of existence, the city and county shall divide equally any unspent funds which the commission has received from any source whatsoever.

SECTION 5. Section 2.96.110 contained in Chapter 2.96 of the Sacramento County Code, relating to the Metropolitan Arts Fund is repealed.

SECTION 6. Section 2.96.120 contained in Chapter 2.96 of the Sacramento County Code, relating to acquisitions is repealed.

SECTION 7. Section 2.96.170 contained in Chapter 2.96 of the Sacramento County Code, is amended to read as follows:

2.96.170 **IMPLEMENTATION OF POLICIES FOR ARTWORK IN COUNTY BUILDING PROJECTS.** Implementation of the policies for artwork in county building projects shall be accomplished in accordance with procedures to be established by resolution of the Board.

SECTION 8. This ordinance was introduced and the title thereof read at the regular meeting of the Board of Supervisors on \_\_\_\_\_, 1990, and on \_\_\_\_\_.

This ordinance shall take effect and be in full force on and after thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days from the date of its passage it shall be published once with the names of the members of the Board of Supervisors voting for and against the same, said publication to be made in a newspaper of general circulation published in the County of Sacramento.

On a motion by Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, the foregoing ordinance was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 1990, by the following vote, to wit:

AYES: Supervisors,  
NOES: Supervisors,  
ABSENT: Supervisors,

\_\_\_\_\_  
Chairperson of the Board of Supervisors  
of Sacramento County, California

(SEAL)

ATTEST: \_\_\_\_\_  
Clerk of the  
Board of Supervisors

ord 2.96,,149