 ORDINANCE NO. 1639

AN ORDINANCE ADDING ARTICLE 1 OF CHAPTER 5 OF THE SOLANO COUNTY CODE, ESTABLISHING THE SOLANO COUNTY PUBLIC ART COMMITTEE AND PROGRAM

WHEREAS, the incorporation of art into public buildings serves to improve the quality of life, health and welfare for the citizens of Solano County by promoting visual stimulation and culture;

WHEREAS, Solano County desires to encourage and promote a thriving environment to encourage the arts and cultural activities; and

WHEREAS, encouragement of the local arts also serves to promote the local economy.

The Solano County Board of Supervisors ordains as follows:

Section 1. Article 1 is added to Chapter 5 to read:

Article 1 The Solano County Public Art Committee and Program.

Section 2. Section 5-1 is added to Chapter 5 to read:

Section 5-1 Purpose.

The purpose of this chapter is to establish a public art program to promote the arts and culture in Solano County by establishing a public fund to be used in the purchase, or commission of public art within designated public buildings owned by the County of Solano. The purpose of this chapter is to ensure that provision of public art in public buildings is a component of every construction project by ensuring that planning and funding are made available.

Section 3. Section 5-2 is added to Chapter 5 to read:

Section 5-2 Solano County Public Art Committee and Program

The Solano County Public Art Committee is created for the purpose of overseeing and administering the Solano County Public Art Program, subject to all County rules, policies and procedures, including but not limited to those related to personnel, contracting, purchasing, budget and travel. Administrative responsibility for the Solano County Public Art Committee and Solano County Public Art Program shall lie with the department of General Services.

Section 4. Section 5-3 is added to Chapter 5 to read:

Section 5-3 Committee Membership.
The Solano County Art Committee shall be comprised of seven (7) members and one rotating ex-officio member. The sitting members shall consist of the following or their designees: the County Architect, the Director of Library Services, the Chair of the Solano County Planning Commission or a designated Planning Commission member, a member of the Solano County Board of Supervisors, the County Administrator, a member of Solano Community College’s art program appointed by the President of the Solano Community College and a member of the Solano County Arts Council appointed by the council. A rotating ex officio member from the city in which a specific art project or event is being considered by the Committee may also be appointed to the Committee by each city in which an art project is being considered for purposes of the project or event to assist the Committee in deliberations related to the project or event specific to that city.

Section 5. Section 5-4 is added to Chapter 5 to read:

Section 5-4 Administration.

The Solano County Art Committee shall be responsible for the administration of the Public Art Program established pursuant to this chapter and shall develop any necessary policies and procedures to implement this program. The Art Committee shall be responsible for reviewing the public art plan, approving public art project budgets, selecting artists for art to be commissioned, negotiating artist contracts and all other acts necessary to effectuate the administration of this program. Annually the Art Committee shall report to the Board of Supervisors concerning its operations.

Section 5. Section 5-5 is added to Chapter 5 to read:

Section 5-5 Funding.

All appropriations for county capital projects with construction costs in excess of one hundred thousand dollars ($100,000.00), including all bond projects and other capital projects, shall include a budget for public art which represents at least one and one half (1 and 1/2) percent of the construction cost at the time of the initial construction contract award. These funds shall be deposited in the Public Art Fund established by the auditor-controller. The amount to be appropriated shall be based on the total capital project appropriation, including construction costs, architect and engineering fees and site work, less costs for property acquisition and preparation, unless otherwise prohibited by law or by the terms of any grant. The funding requirement may also be waived by the Board of Supervisors.

Section 6. Section 5-6 is added to Chapter 5 to read:

Section 5-6 Use of funds.

Funds appropriated pursuant to this chapter will be used for design services of artists, for the selection, acquisition, purchase, commissioning, installation, examination and/or display or artworks, for the maintenance of artworks, for education concerning the artwork and for administrative costs of the Art Committee in connection with the program. Funds appropriated
pursuant to this chapter, which remain unexpended or are deemed not necessary or appropriate for use in the building may be pooled to be expended on other capital projects subject to this chapter. All purchases or expenditures are subject to the applicable County policies and procedures related to contracting.

Section 7. In the event of any conflict between any provision(s) of this ordinance and any law or regulation, the conflicting provisions of this ordinance shall be deemed superseded and severed and all remaining portions of this ordinance shall remain in full force and effect.

Section 8. This ordinance will be effective thirty (30) days after its adoption.

Section 9. A summary of this ordinance will be published within fifteen (15) days after its adoption, in the Fairfield Daily Republic, a newspaper of general circulation in Solano County.

Passed and adopted by the Solano County Board of Supervisors on January 27, 2004 by the following votes:

AYES: Supervisors Forney, Kondylis, Kromm, Vasquez, and Chairman Silva

NOES: Supervisors None

EXCUSED: Supervisors None

John Silva, Chairman
Solano County Board of Supervisors

Attest:
Michael D. Johnson, Clerk
Board of Supervisors

By: Deputy

First reading: December 2, 2003
Second reading: January 27, 2004
Effective date: February 27, 2004