



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6725
July 1, 2025
Regular Business

AGENDA BILL INFORMATION

TITLE:	AB 6725: 1% for Art in Public Places Fund Code Amendments (Ordinance No. 25C-19 First Reading)	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Suspend the City Council Rules of Procedure and adopt Ordinance No. 25C-19 upon first reading.	

DEPARTMENT:	City Manager
STAFF:	Jessi Bon, City Manager Robbie Cunningham Adams, Senior Management Analyst Amelia Tjaden, Management Analyst
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Ordinance No. 25C-19
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	\$ n/a
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda item is to present a first reading of Ordinance No. 25C-19 (Exhibit 1) with proposed amendments to the 1% for Art in Public Places Fund.

- In 1993, the City Council adopted [Ord. No. A-108](#), establishing the 1% for Art in Public Places Fund (1% for Art Fund) to support the acquisition and maintenance of visual artworks for the public realm. The 1% for Art Fund is established by [MICC 4.40.200](#), which requires all qualifying capital improvement projects to set aside 1% of the total project cost to support permanent public art installations.
- During the Public Safety and Maintenance Facility design discussion ([AB 6701](#)) at the June 3, 2025, City Council meeting, the Council asked staff if it was possible for this project to be exempted from the 1% Arts Fund contribution requirements.
- Under the current City code, there is not an option for a qualifying project to be exempt from contributing to the 1% for Art Fund.
- On June 17, 2025, the City Council directed staff to bring back an ordinance modifying the existing 1% for the Arts code to give the City Council flexibility to fully or partially exempt projects on a case-by-case basis from the 1% contribution requirements.
- Ordinance No. 25C-19 (Exhibit 1) amends MICC 4.40.200 to allow the City Council to fully or partially exempt a qualifying project from contributing to the 1% for Art Fund.

BACKGROUND

In 1993, the Mercer Island City Council adopted [Ord. No. A-108](#), establishing the 1% for Art in Public Places Fund (1% for Art Fund) to support the acquisition and maintenance of visual artworks for the public realm ([AB 2578](#)).

The 1% for Art Fund is established by [MICC 4.40.200](#), which requires all qualifying capital improvement projects to set aside 1% of the total project cost to support permanent public art installations. Qualifying capital improvement projects are defined as:

Projects funded wholly or in part by the City to construct or remodel any public project, including buildings, decorative or commemorative structures, parks or any portion thereof; and projects involving the construction, renovation or repair of public streets, sidewalks, and parking facilities.

A capital improvement project's 1% for Art Fund contribution may be used to integrate a public art project into the capital project or transferred to the 1% for Art Fund for future use.

[MICC 3.55.050](#) states that the Mercer Island Arts Council (MIAC) shall recommend projects to the City Council, using appropriations from the 1% for Art Fund. [MICC 4.40.200\(F\)](#) notes that the 1% for Art Fund shall be used for:

- Selection, acquisition and installation or display of original works of visual art which may be an integral part of the project, or be placed in, on or about the project or in another public facility; and
- Repairs and maintenance of public art acquired with 1% for the Art in Public Places Fund; and
- Other project-specific expenses of selection and acquisition, provided that no part of the funds shall be used to pay administrative staffing expenses of the program.

1% for Art in Public Places Annual Fund Balance

The table below shows the annual fund balance in the 1% Fund for 2021-2024. The average annual revenue into the 1% for Art Fund is \$35,000 and the average expenditure is \$30,500.

1% for Art in Public Spaces Fund	2021	2022	2023	2024
Beginning Fund Balance	\$ 157,833	\$ 158,936	\$ 175,916	\$ 153,309
1% Arts Revenue	\$ 13,314	\$ 28,229	\$ 30,915	\$ 68,106
Other Revenue ¹	\$ 17,000	\$ -	\$ -	\$ -
Expenditure	\$ (29,211)	\$ (11,249)	\$ (53,521)	\$ (27,995)
Ending Fund Balance	\$ 158,936	\$ 175,916	\$ 153,309	\$ 193,420

¹ Insurance recovery.

Existing Art at the Former City Hall

Today, the City's public art collection includes more than 60 works of two- and three-dimensional art installed in public facilities and parks around Mercer Island. Five pieces of art are located at the former City Hall and are summarized on the table on the next page. It is the intent of City staff and the Design Team to relocate the existing art pieces from the former City Hall building and integrate them into the new PSM Facility.

Title	Medium	Year
Island Crest Construction	Oil Painting	1993
I-90 On Mercer Island	Oil Painting	1993
Twin Foxes	Bronze Statue	2015
Mercer Island Sentinel	Steel and Concrete Statue	1990
Floating Bridge	Kinetic Sculpture	1991

ISSUE/DISCUSSION

The Public Safety and Maintenance (PSM) Facility is a capital project that must contribute to the 1% for Art in Public Places Fund (1% for Art Fund) under the current City code. Staff included a \$739,633 contribution to the 1% for Art Fund in the project cost estimate, which was presented at the June 3, 2025, City Council meeting.

Per [MICC 4.40.200\(E\)](#) and under State law, revenue from a voter approved bond must be used for the project described in the bond ordinance. If contributions to the 1% for Art Fund are intended to be used for projects in addition to the PSM Facility, these projects must be identified in the bond ordinance. However, if the contributions to the 1% for Art Fund are collected and intended to be used solely for the PSM Facility, then no additional reference is required in the bond ordinance.

City Council asked staff during the June 3, 2025, discussion on the PSM Facility design ([AB 6701](#)) if it was possible for this project to be exempted from the 1% for Art Fund contribution requirements. Under the current City code, there is not an option for the City Council to exempt a project.

At the July 17, 2025 City Council meeting, the Council directed staff to prepare an ordinance modifying the 1% for the Arts code to allow the City Council to fully or partially exempt projects from the contribution requirements ([AB 6712](#)).

Ordinance No. 25C-19 (Exhibit 1) adds the option to exempt or partially exempt qualifying projects from the 1% for Art in Public Places Fund.

NEXT STEPS

As mentioned previously, City staff and the Design Team intend to relocate the existing art pieces from the former City Hall building and integrate them into the new PSM Facility. Final details and placement of the art pieces will be determined during subsequent phases of design.

RECOMMENDED ACTION

Adopt Ordinance No. 25C-19, upon first reading, to amend MICC 4.40.200 related to the 1% for Arts in Public Places Fund.