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# 191876

Ordinance

## Amend Revenue and Finance Code to transfer certain functions to the Office of Arts & Culture (amend Code Section 5.04.510 and Code Chapters 5.73 and 5.74, repeal Code Section 7.02.830)

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The City believes all Portlanders should have equitable access to arts and culture – a value that was reaffirmed when the Council approved "Our Creative Future," a new cultural plan for the Portland metro region, on May 22, 2024.
2. The City supports arts and culture through three distinct funding mechanisms:
  - a. General Fund appropriations;
  - b. The Percent for Art Program, pursuant to Portland City Code (PCC) Chapter 5.74 (Acquisition of Public Art) (known as Percent for Art); and
  - c. The Arts Education and Access Fund, pursuant to PCC Chapter 5.73 (Arts Education and Access Income Tax).
3. Since 1995, the Regional Arts & Council (RACC) has been the primary provider of arts-related services and steward of these funds.
4. The relationship between the City and RACC has been memorialized through City Code and a series of sole-source contracts.
5. The current contract was not renewed and expired on its own terms as of July 1, 2024, as part of the City's decision to change its arts service delivery model and establish a new Office of Arts & Culture within the Vibrant Communities Service Area.
6. To reflect this new structure, and the City's transition to a new form of government, the City Council adopted amendments to PCC Chapter 5.73 ("Arts Education and Access Income Tax") via Ordinance No. 191605, effective March 1, 2024, that replaced references to RACC with references to the "City Arts Program" and made other minor language changes.
7. Ordinance No. 191605 also included in Exhibit B thereto amendments that become effective January 1, 2025. This ordinance does not alter

Introduced by

[Commissioner Dan Ryan](#)

Contact

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date  
August 28, 2024

Changes City Code

- the language in Exhibit B to Ordinance No. 191605.
8. The City Arts Program was recently renamed the “Office of Arts & Culture.”
  9. This ordinance replaces references in Chapter 5.73 to “City Arts Program” with the “Office of Arts & Culture” to reflect the name change.
  10. This ordinance also amends Chapter 5.74 (“Public Art”) to codify the City’s new service delivery model for supporting arts and culture.
  11. This ordinance further replaces references to RACC in Section 5.04.510 and Chapter 5.74 with the “Office of Arts & Culture.”
  12. The City Council recently reconfigured the Office of Management and Finance and Bureau of Revenue and Financial Services via Ordinance No. 191740, effective July 1, 2024, that, among other actions, eliminated the Office Management and Finance, separated the functions of the Bureau of Revenue and Financial Services into specialized divisions and programs, and created the “Revenue and Financial Services Division” to take over the revenue functions previously carried out by the Bureau of Revenue and Financial Services.
  13. This ordinance replaces references in Chapters 5.73 and 5.74 to either the “Office of Management and Finance” or the “Revenue Division” with “Revenue and Financial Services Division” or the “Office of Arts & Culture,” depending on the context.
  14. The ordinance amends Chapter 5.74 to have bureaus participating in the Percent for Art program transfer revenues to the Office of Arts & Culture rather than to RACC.
  15. In addition, City Code Section 7.02.830, “Collection and Remittance of Donations to the Regional Arts & Culture Council,” is deleted in its entirety because it has gone unused for several years, and there are other options to make donations to RACC on various City websites.

NOW, THEREFORE, The Council directs:

- A. Amend City Code Section 5.04.510 as shown in Exhibit A.
- B. Amend City Code Chapter 5.73 as shown in Exhibit B.
- C. Amend City Code Chapter 5.74 as shown in Exhibit C.
- D. Repeal City Code Section 7.02.830 Collection and Remittance of Donations to the Regional Arts & Culture Council.

## Exhibits and Attachments

 [Exhibit A](#) 100.05 KB

 [Exhibit B](#) 149.69 KB

 [Exhibit C](#) 161.87 KB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council  
August 28, 2024

Auditor of the City of Portland  
Simone Rede

## Impact Statement

### Purpose of Proposed Legislation and Background Information

The purpose of the proposed legislation is to amend the Arts Education and Access Income Tax Code and Public Art Code to replace the Regional Arts & Culture Council as the required agency for arts-related service. Instead, the City's Office of Arts & Culture is named as the City entity responsible for delivering arts services.

### Financial and Budgetary Impacts

The ordinance does not authorize any additional spending or change any existing budget appropriations.

### Community Impacts and Community Involvement

N/A

### 100% Renewable Goal

Not applicable.

### Budget Office Financial Impact Analysis

These code changes are primarily technical to reflect changes to the City's arts service delivery model and the transition of the City Arts Program as a Special Appropriation into the Office of Arts & Culture within the Vibrant Communities Service Area.

As part of these changes to Chapter 5.74 "Public Art", the responsibility to maintain the Public Art Trust Fund is being transferred from the Regional Arts & Culture Council to the City's Office of Arts & Culture. This will require the City to establish a Public Art Trust Fund for funds dedicated to public art to replace the fund that was formerly required within the Regional Arts & Culture Council. The FY 2024-25 budget includes \$3,739,512 in dedicated dollars for art through bureau capital projects.

## Document History

Item 736 Consent Agenda in [August 14, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/8/14)  
(<https://www.portland.gov/council/agenda/2024/8/14>)

City Council

Passed to second reading

Passed to second reading August 28, 2024 at 9:30 a.m.

Item 750 Consent Agenda in [August 28, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/8/28)  
(<https://www.portland.gov/council/agenda/2024/8/28>)

City Council

Passed

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea