

# Cultural Council Minutes

September 16, 2009

## **Present**

Oskar Rey (guest), Andy Loos (guest), Ellen Miller-Wolfe (staff), Julie Huffman (staff), Gwen Zierdt, Margit Moore, Amy Whittenburg, Bhaj Townsend, Leah Kliger, Kathy Feek, G.G. Getz, Jeff Parks, Bob Larson

**Absent:** Tom Gan (on leave of absence), Cathy Heffron

## **APPROVAL OF MEETING MINUTES**

Minutes from July retreat and August meeting approved.

## **REPORTS AND PRESENTATIONS**

Oskar Rey, Assistant City Attorney, present to discuss busking and Networking listserv.

### Busking

The City Attorney, Oskar Rey, advised that streets and sidewalks are considered public forums where free speech is protected by the courts. The courts may look upon the permit process suspiciously. Cities may regulate time, place and manner of where busking happens (ie limit amplification, blocking of sidewalk, noise and nuisance ordinance); but in general cannot regulate street performances or require a permit. The City Council may decide that they want to encourage street performers. If appropriate to set guidelines and encourage performers, the Cultural Council could propose policy to the City Council. The Cultural Council should first approach the City Manager with this issue should it decide to go forward.

### Listserv

Oskar explained that the City is struggling with how to utilize current technologies without putting the City at risk. One issue is document retention. If the listserv is managed by the Cultural Council, we would need to document what was put out on the listserv and also any emails that were not put out once received. Also, if it is a City listserv then it is a public forum and restricting what is sent out can be considered censorship. The Cultural Council would like all members to be able to post through administrative approval. Oskar would like to discuss the issue with the City Attorney and IT further and will get back with policy considerations in a week.

### Bank of America Plaza

Andy Loos present from SRM Development.

Councilmember Bob Larson explained the background on the Bank of America plaza art piece. The Council's role is to approve or reject the proposed artwork and to determine whether the pergola shall be removed. The subcommittee recommends removal of the pergola and approval of the art piece. Cultural Council commented that they would love to see the dramatic effect of the piece highlighted even at night. Also, that they preferred the rock to look like it was from the northwest. Margit noted that a representative from CIVIK stated previously that he would support the decision of the Cultural Council regarding the pergola. Bob moved to accept the current proposed artwork (per the drawings and model presented at this meeting) which includes the removal of the pergola. Margit seconded motion. Motion approved unanimously.

### Community Collaboration

The subcommittee reported that a meet and greet and educational event is planned for October 19<sup>th</sup> from 5:30-7:30 at KPC with guest Mary Langholz from the Washington State Arts Alliance. The first 30 minutes will be light food from Costco and networking, followed by a performance by Kirkland Choral Society, and finally a presentation on advocacy for the arts. Tables will be set out for people to publicize materials.

### KPC Auction Basket-new agenda item added

KPC asked the Cultural Council to donate a basket. GG is also hosting a table. Council decided there was not enough time for a basket this year but they would offer one next year.

### Vision 2020

Council recapped the Cultural Council's presentation to the City Council on the Strategic Plan. Council is appreciative of the support from the community. Leah has sent thank you notes to those who spoke, and will send a congratulatory note to Rebecca Devere who spoke in support of the plan and was named the Best Local Artist in the 425 magazine.

### Short term recommendations

The Council prioritized these actions from the list of short term recommendations:

- The creation of a foundation to support arts, culture and heritage. Leah asked GG to head up the subcommittee to explore the foundation. GG will be recruiting community members as well.
- The collaboration and networking subcommittee is already in progress with Gwen, Amy and Leah.
- Underutilized spaces recommendation. Jeff Cole with the Kirkland Downtown Association was looking into this. Rebecca Devere and GG are both interested in this; GG can provide mentorship since she is already chairing another committee. Kathy and Jeff will share chairing the committee. Gallery retention is related and can possibly be addressed by this group as well.

The recommendation for extending the 1% for art to the entire CIP budget is interesting to Margit. Since the timing for this is not good now, Council will revisit this in April.

### Busking: Discussion

Margit offered background on the issue of busking. She has done extensive research on requirements of other cities, lawsuits that have been filed, permitting processes, etc. Based on that research, a proposal was made for a permitting process. A concern discussed is the creation of a permit process when a permit is not necessary. Another suggestion is to gather feedback from downtown stakeholders. Council supports this project, and would like Margit to work with Ellen further to see what the next steps are, and talk with the galleries, the downtown association, the chamber, and the property owners/neighbor downtown. Bhaj will help Margit on this.

Meeting adjourned at 6:00 p.m.

Minutes prepared by Julie Huffman