



**CITY OF KIRKLAND**  
**City Manager's Office**  
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## **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Ellen Miller-Wolfe, Economic Development Manager  
Philly Hoshko, Special Projects Coordinator

**Date:** June 4, 2015

**Subject:** UPDATE OF PUBLIC ART POLICY GUIDELINES

## **RECOMMENDATION**

City Council approves Resolution R-5122 adopting the updated Public Art Policy Guidelines.

## **BACKGROUND**

The Cultural Arts Commission (CAC) is authorized by Resolution R-4995 to make recommendations to the City Council regarding the accessioning and deaccessioning of both temporary and permanent public art work in the city. A vision and goals that are well-defined as well as clear and concise guidelines will greatly assist the Commission in its work and also provide specific rationale upon which City Council decisions can rely.

At its March 18, 2015, the Commission approved Public Policy Guidelines, updating Guidelines that have been in effect since January, 2004. The Commission has added vision, mission and goals statements to the original resolution that reflect what it believes are the sentiments of the Kirkland community. A public art collection that invites interaction, cultivates community pride, and adds diversity to the existing holdings are some of the policies that the Commission recommends.

In addition, the Commission has worked on reformatting, reorganizing and streamlining the existing guidelines so that the criteria for art consideration are clear to the Commission and others jurying art work, as well as to the City Council and the larger Kirkland community. Public art can elicit many different points of view and having clear and transparent guidelines are key to ultimate acceptance of art decisions.

The Commission also has delineated the guidelines for assembling art juries, a role that the Commission and other stakeholders have assumed frequently in recent years. The soon-to-be installed Crane in its Vigilance, and other interior art pieces at the Kirkland Justice Center resulted from of a jury comprised of CAC members as well as representation from Courts and Police, the occupants of the building. Depending on the project, the commissioners may invite others to serve on an art jury.

On March 31, 2015 the Finance and Administration City Council Subcommittee gave its recommendation that the revised policies move to the City Council. This item was on the April 21, 2015 City Council Agenda and removed to incorporate additional recommendations from staff and councilmembers.

The two primary additions requested by the Council were:

- 1) The Council had the ability not to accept donations of art or "conditioned" money that are not consistent with the public art policy guidelines, and
- 2) The Council could choose to solicit more public outreach on particular public art decisions at the Council's discretion.

Both of these changes have been incorporated into the revised policy guidelines.

It is recommended by staff on behalf of the Cultural Arts Commission that the revised updated Public Art Policy Guidelines be adopted.

Attachments: Public Art Policy Guidelines and Resolution

RESOLUTION R-5122

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND  
RELATING TO THE CITY'S PUBLIC ART POLICY GUIDELINES.

1           WHEREAS, the primary mission of the Cultural Arts Commission  
2 is to advise the City Council on public art loans and acquisitions, and to  
3 review and recommend projects under the City's "one percent for the  
4 arts" program in accordance with Resolution R-4995; and  
5

6           WHEREAS, the mission of the Commission is best achieved when  
7 guided by adopted Public Art Policy Guidelines with mission, vision and  
8 goal statements, and  
9

10           WHEREAS, the previous Public Art Policy Guidelines created in  
11 2004 were reviewed and updated by the Cultural Arts Commission in  
12 March of 2015 to include mission, vision and value statements as well  
13 as reformatted, reorganized and streamlined so that the criteria for  
14 public art is clear to the City Council and the larger Kirkland community;  
15 and  
16

17           WHEREAS, the Cultural Arts Commission recommends that the  
18 City Council adopt the updated Public Art Policy Guidelines.  
19

20           NOW, THEREFORE, be it resolved by the City Council of the City  
21 of Kirkland as follows:  
22

23           Section 1. The Public Art Policy Guidelines attached as Exhibit A  
24 are adopted as the Public Art Policy Guidelines relating to the City's  
25 current and future public art collection.  
26

27           Passed by majority vote of the Kirkland City Council in open  
28 meeting this \_\_\_\_ day of \_\_\_\_\_, 2015.  
29

30           Signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_,  
31 2015.

\_\_\_\_\_  
MAYOR

Attest:

\_\_\_\_\_  
City Clerk

## PUBLIC ART POLICY GUIDELINES

### Public Art Vision

Kirkland maintains a diverse public art collection that invites interaction, fosters civic identity and community pride, inspires a sense of discovery, stimulates cultural awareness, and encourages economic development.

### The Kirkland Cultural Arts Commission (KCAC)

The Kirkland Cultural Arts Commission is responsible for helping the City Council implement the Public Art Vision in Kirkland. The Cultural Arts Commission a volunteer advisory board that works to help arts, culture and heritage grow and thrive in the City of Kirkland. Along with supporting art and cultural initiatives, the Cultural Arts Commission promotes strategic arts planning and advises the City Council on art acquisition in Kirkland.

### KCAC Mission

The Cultural Arts Commission curates and advises the City Council on public art acquisitions and loans, and reviews and recommends projects under the City's "one percent for the arts" program.

### KCAC Goals:

- Curate the growth of a diverse public art collection
- Facilitate exposure to public art
- Encourage community dialogue through public art
- Use public art to reflect the characteristics of the greater Kirkland community
- Determine that the art is appropriate for its location

## PUBLIC ART ACQUISITION GUIDELINES

Proposed public art acquisitions shall be reviewed by the Cultural Arts Commission with recommendations to the City Council. For a proposed public art acquisition to be sited in a park, a recommendation from the Kirkland Park Board will also be requested. A recommendation will be requested from affected boards, commissions, organizations, and associations when appropriate.

### Proposed public art acquisitions will be evaluated on the following:

- A. The quality and aesthetic merit of the art work.
- B. Context within the city collection should be considered with the following criteria:
  - a. Does art work enhance the existing collection or add diversity?
  - b. How does the piece engage the public?
  - c. Are the materials appropriate?
  - d. Is the piece susceptible to vandalism or graffiti?
- C. Coordination with the Park Board or other affected commissions and departments concerning siting, costs of installation, and maintenance of art work.
  - a. Availability of an appropriate site.

- b. Appropriateness in size, scale, material, form and style for the area in which it is to be placed.
- c. Condition, durability, installation, and maintenance requirements of the art work.

D. Donor conditions, if applicable.

E. If applicable, loaned artwork can be purchased if there is sufficient public support to acquire it via public fundraising or City Council action.

Other Considerations:

- Whenever appropriate, siting decisions will be determined by a public art jury made up of surrounding neighbors, businesses, or associations (e.g., business or neighborhood) impacted by an art work location.
- For a work proposed for loan to the City, the owner or owner's representative will be required to enter into an Art Display Agreement setting forth the length of the loan and other terms such as location, maintenance requirements, insurance, value of art work, installation and removal responsibility, and other conditions pertinent to the agreement.
- Donated or loaned art work will include identifying plaques if accepted by the City.
- Donated or loaned art may be declined at the discretion of the City consistent with the criteria in the public art policy guidelines.
- All accepted donated works become part of the City art collection and, as such, may be relocated.
- Unrestricted monetary donations to help fund public art acquisitions will be accepted at any time. Donations with conditions or restrictions such as use for acquisition of a specific artwork or theme will be reviewed and accepted in accordance with this policy, and declined if the conditions or restrictions are not approved.

## TEMPORARY ART EXHIBITS

### Objectives

To provide procedures and opportunities for the temporary exhibit of art work in cooperation with art galleries and other organizations and to showcase artists, promote awareness and foster education regarding public art in the community. The City currently has several locations and pedestals located in the downtown that provide for the display of temporary public art. Other venues throughout the community, in public facilities and neighborhoods will be encouraged.

### Guidelines

- Proposed use of the existing pedestal locations for art work in public parks or rights-of-way shall be reviewed by the Cultural Arts Commission in coordination with Parks and Community Services for installation assistance (if required) and Public Works for any permit requirements.
- Art Display Agreements will be required.

- Hosting temporary indoor and outdoor public art exhibits shall be reviewed by the Cultural Arts Commission with recommendation to City Council. If appropriate, partnerships with other arts organizations, agencies, and the business community will be encouraged.
- Length of term on loans will be established in artwork loan agreements and reviewed by the commission on an individual basis.

#### **PARK LANE OUTDOOR ART GALLERY**

- An outdoor art gallery located on Park Lane is intended to display temporary art for sale to the public.
- No more than six pieces of art will be displayed at one time on city-owned plinths that have been installed in the public right-of-way.
- The Cultural Arts Commission will accept sculpture display applications on a rolling basis and curate the selection of art.
- Art will be displayed for 12-18 months unless it is sold at which time the display term may be shortened, and the art replaced with another selected piece.
- Unlike other pieces of temporary art where the process calls for City Council consideration of recommendations made the Cultural Arts Commission, outdoor art gallery work will only require Cultural Arts Commission approval.

#### **ADDITIONAL MEMORIAL PUBLIC ART CONSIDERATIONS**

- Donation of memorial artwork can honor the memory of an event (contemporary or historical), an occasion, an outstanding member of the community, or serve a similar purpose.
- Proposed memorial public art shall be reviewed by the Cultural Arts Commission with recommendation to the City Council. The Cultural Arts Commission will work with the donor and relevant City Departments to recommend an appropriate site for the work. For proposed memorial public art to be sited in a park, a recommendation from the Kirkland Park Board will also be requested.
- Proposed commissioned memorial art shall not ordinarily honor a living person, unless that person has made a significant and outstanding contribution to the arts or civic service. A waiting period of at least one year should elapse from the time of (1) the initial nomination of the living individual, (2) the passing away of the deceased individual(s) or, (3) the occurrence of the event in order to be eligible for consideration as a commissioned memorial public art work.
- The proponent(s) of commissioned memorial art will approach the Cultural Arts Commission with several ideas for the intended public art. The Cultural Arts Commission will establish a dialogue with the proponents and other affected city departments. As a result of this dialogue, the Cultural Arts Commission will make a recommendation to the City Council. The recommendation may endorse one of the proponent's proposed ideas or may recommend a different design approach or public art location.
- Celebratory gifts may be commemorative in nature, or may mark a life event such as: the birth of a loved one, an anniversary, a graduation, a business, or a celebration of an event or a group.

- Memorials accepted by the City become a part of the City art collection and, as such, may be relocated.

Proposed memorial public art will be evaluated on the following criteria:

- A. The fit of the art work with the overall character of public art already on display throughout the city.
- B. The timeless qualities of the art work, including its significance and appeal to future generations. Memorial proposals honoring individuals or a personal event should be represented in a form that has a broader community interest and moves the viewer to a special experience. Examples include community parks, landscaped gardens and plazas, sculpture and art works, plaques about history or the environment, poetry, fountains, park benches, and site furnishings.
- C. The art work's success in expressing the spirit of the person(s) or event to be commemorated.
- D. Memorial artwork should not set a precedent that goes against the criteria outlined above. Artwork should be congruent with the existing collection, its immediate environment and site specific existing artwork.
- E. The artistic merit of the art work.
- F. The proposed location of the art work. The location should be an appropriate setting for the memorial and should not interfere with existing and proposed circulation and use patterns. It is recognized that a particular location may reach a saturation point and it would then be appropriate to consider limitations or a moratorium on future memorial installations at that location or area.
- G. The fit in terms of the size, scale, material, form and style for the area in which it is to be placed.
- H. Condition, durability, installation, and maintenance requirements of the art work.

## DEACCESSION OF ART WORK

### Objectives

To provide procedures for the withdrawal of City owned art work from public display.

### Guidelines

Deaccessioning should be cautiously applied only after careful and impartial evaluation including input from the Cultural Arts Commission, art professionals, the public, the artist, and final review and decision by the City Council

- Deaccessioning of art work may be considered for one or more of the following reasons:
  - A. The condition or security of the art work cannot be reasonably guaranteed in its present location.
  - B. The art work presents a public safety risk.

- C. The art work is damaged and repair is not feasible.
- D. Significant changes in the use, character or actual design of the site require a re-evaluation of the art work's relationship to the site.
- E. The art work requires excessive maintenance or has failures of design or workmanship.
- F. The art work no longer meets the mission and goals of the Public Art Policy.

## RELOCATION OF ARTWORK

### Objectives

To provide procedures for the relocation of City owned art work.

- A. The condition or security of the art work cannot be reasonably guaranteed in its present location.
- B. The art work presents a public safety risk.
- C. Significant changes in the use, character or actual design of the site require a re-evaluation of the art work's relationship to the site.
- D. A more suitable location for the artwork has been proposed.

Procedures for possible deaccessioning or relocation of art work shall be initiated by a majority vote of the Cultural Arts Commission or direction from the City Council. The following describes specific procedures for deaccessioning or relocation of artwork.

- A. Review of any restriction which may apply to the specific work.
- B. Assessment of options for storage or disposition of art work, which may include sale, trade, return to the artist, or gift.
- C. Analysis of reasons for deaccessioning and recommendation to City Council for the final decision. The Cultural Arts Commission may seek additional information regarding the art work from the public, the artist, art galleries, curators, appraisers, or other professionals prior to making a recommendation.

## PUBLIC ART JURIES FOR COMMISSIONED WORKS OF ART

- The Cultural Arts Commission may convene a jury to review individual public art memorials or acquisitions. The Commission will convene a jury when the public art work to be considered is a commissioned piece and is not an already completed work of art.
- Candidate jurors can include but will not be limited to: artists, architects, landscape architects, engineers, urban designers, representatives from the community, art professionals and other stakeholders.
- An appointed jury shall not include City Council members, or their partners or families.
- A jury shall not ordinarily be comprised of more than 50% membership from the Cultural Arts Commission.

- Proposals for commissioned works shall include:
  - A. A three-dimensional model (when appropriate) or complete drawing of a two-dimensional work
  - B. Drawings or photographs that demonstrate the relationship of the artwork to the site
  - C. Material samples for the artwork and any relevant construction materials
  - D. Installation details
  - E. Description of routine maintenance and estimate of maintenance costs
  - F. Approval for the installation and use of site by the appropriate city department(s)
  - G. Artist's resume
  - H. Budget and schedule

#### **PUBLIC INPUT FOR PUBLIC ART OPPORTUNITIES**

##### **Objective**

To encourage community involvement in art, cultural and heritage activities, the City Council may seek community input on public art decisions.

- After City Council receives the recommendation from the Cultural Arts Commission and/or Public Art Jury, the Council, at its discretion, may seek broader community input on the recommendation before making a decision to acquire and site public art, to approve temporary and memorial art, or to deaccession art.