



**CITY OF KIRKLAND**  
**City Manager's Office**  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3001  
[www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us)

---

## MEMORANDUM

**To:** City Council  
**From:** Cultural Council  
**Date:** February 17, 2009  
**Subject:** Cultural Council Terms

### Recommendation

The Cultural Council (Council) seeks guidance from the City Council regarding the amendment of Resolution R-4353, dated November 1, 2002, which created the Council and set out its mission, membership and financial support. The resolution was written with the intention that the Council would become a non-profit. The Council surveyed the local arts community and determined that if the Council became a non-profit it would hurt the fundraising efforts of other non-profits engaged in the arts. The Cultural Council would like to revise the resolution or substitute a new resolution to acknowledge that the Council has been performing as a City board or commission and should therefore be consistent with these other boards. The main concerns requiring City Council consideration are term lengths, position appointments, and term limits.

### Background Discussion

The Cultural Council was formed in 2002 with the intention that it would become a non-profit by the year 2005. The response from local arts agencies to this possibility was quite negative; local art agencies felt strongly that it would create undue competition between the City and the arts agencies for limited funds. This sentiment was echoed more recently through the strategic planning process that began in 2008. The Council believes that it can be more effective as a City entity, and that the City benefits greatly from its work. Through the 1% for Art program and Art in Private Development, Cultural Council members have worked with staff in the Public Works, Planning, and Parks Departments. It can point to many accomplishments during its six years of existence, a sampling of which include:

- Passage of a 1% for the Arts policy for public projects which has resulted in artists being hired to integrate art into the Juanita Beach redevelopment and the City Hall Annex,
  - Assistance to the Norkirk and Houghton Neighborhoods with art procurement, as well as assistance to the Totem Lake Freeway Station art and the I-405 Soundwalls,
  - Fundraising of \$212,000 to purchase the loaned Ballentine sculptures,
  - Sponsorship of local art events such as the Kirkland Artist Studio Tour and Uncorked,
  - Procurement of grant funds to bring performance art to Kirkland, as well as "Artists In Action" at the Wednesday Market,
  - Development and distribution of "Bringing Art to Private Development", a DVD to encourage art in public/private places and collaboration with developers that will bring additional art to 2 developments in downtown Kirkland as well as Park Place,
- and countless other projects that have helped define Kirkland as an artist's town.

Current on-going projects include the art in private development program, the % for art program, the strategic plan, and continued coordination with neighborhoods to bring art to all areas of the city. The recent move of the Cultural Council along with Tourism to become part of the Economic Development Program has created synergy among these disciplines, with one benefit being increased visibility and marketing of Kirkland as an arts destination.

## **Proposed Changes**

### Term Lengths

Currently, the Cultural Council members have either 2 or 3 year terms. The Council would like these term lengths to be consistent. The Cultural Council recognizes that the City Council's preference is for 4 year terms (with the exception of the Youth position). This is the case for many of Kirkland's boards and commissions (Design Review Board, Park Board, Library Board, and Planning Commission). Staff suggests the terms be staggered by 2 years. This also would reduce staff time needed to recruit and plan for turnover, while still allowing for fresh ideas.

### Position Appointments

Currently the first 5 members of the Cultural Council are appointed by the City Council and the rest of the members by the Cultural Council. Consistency in this regard is desired as well, with appointment by the City Council. The current resolution states that the "member's term shall begin upon the member accepting his or her appointment". Staff recommends that terms end on March 31<sup>st</sup> as recommended in the City Council policies and procedures: "Terms shall expire on the 31<sup>st</sup> of March of the applicable year." This also reduces staff time and adds consistency.

### Term Limits

There are currently 5 members who have served six years apiece on the Council, which under current rules does not allow them to apply again. Staff recommends that those who chose to be allowed to serve an additional portion of or complete 4 year term. This would be consistent with City Council's policies and procedures for boards and commissions, which allow that "no individual shall serve more than two full four-year terms".

## **Conclusion**

The Cultural Council believes that with these changes it can more effectively function as an agent of the City Council and implement its original purpose "to promote strategic planning and development for arts, culture and heritage in the community." It invites City Council comments and suggestions in response to these proposed changes.

Attachment A – Resolution R-4353

Attachment B – Cultural Council Accomplishments

ATTACHMENT A

RESOLUTION R- 4353

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATING TO THE CULTURAL COUNCIL

Be it resolved by the City Council of the City of Kirkland as follows:

Section 1. Creation of the Kirkland Cultural Council. The Kirkland Cultural Council is hereby created, effective November 1, 2002. The Kirkland City Council approves the Cultural Council as a local arts agency and requests that King County recognize the Cultural Council as a local arts agency located in Kirkland, Washington.

Section 2. Purpose. The City is creating the Cultural Council to promote strategic planning and development for arts, culture and heritage in the community. The City Council would like advice from the Cultural Council regarding public art acquisitions. The Cultural Council shall advise the City Council, City Manager, and City staff regarding those issues referred to it by the City Council. After consultation with the City Manager, the Cultural Council may serve as the City's official representative on an arts, culture or heritage matter. The Cultural Council may submit to the City through the City Manager recommendations for other issues to be submitted to the Cultural Council as it feels is advisable.

Section 3. Membership. There will be no less than 7 members and no more than 15 members of the Cultural Council. All of the members shall reside or own a business within the City of Kirkland or its Potential Annexation Area. All members must have an interest in the arts. A member will serve in an individual capacity, even if he or she works for an organization that may make a proposal to the Cultural Council. The membership of the Cultural Council is intended to reflect balance, taking into account such elements as the diversity of the community and the connection to various geographic areas of the City.

The table printed in Section 4 below sets forth certain factors applicable to the appointment of members. The special qualification "Artist" means a person who has a demonstrated commitment as an artist. The special qualification "Cultural Heritage" means a person who has a demonstrated commitment to cultural heritage matters. The special qualification "Youth" means a person who, at the time of appointment, is at least 16, but not yet 18 years of age.

A member's term shall begin upon the member accepting his or her appointment. A member may be reappointed; provided that, no person shall serve as a member for more than six consecutive years. Vacancies shall be filled for the remainder of the unexpired term of the vacant position. A member will be expected to attend no less than 80% of all meetings for which there is no prearranged absence. In addition, when a member misses three or more consecutive meetings not excused by a majority vote of the Cultural Council, the Cultural Council shall consider removal of that member. In the case of a member who was appointed by the City Council, the Cultural Council shall report to the City Council about a member's pattern of absence, together with a recommendation concerning removal by the City Council. A member finding themselves unable to attend regular meetings is expected to tender his or her resignation. A resignation shall be effective on such date as designated by the resigning member.

Section 4. Table.

POSITION	APPOINTED BY	LENGTH OF TERM	SPECIAL QUALIFICATION	NOTES
1	City Council	2 years		
2	City Council	3 years		
3	City Council	2 years		
4	City Council	3 years		
5	City Council	2 years		
6	Cultural Council	3 years	Artist	a
7	Cultural Council	3 years	Cultural Heritage	a
8	Cultural Council	2 years	Youth	b
9	Cultural Council	2 years		c
10	Cultural Council	3 years		c
11	Cultural Council	2 years		c
12	Cultural Council	3 years		c
13	Cultural Council	2 years		
14	Cultural Council	3 years		
15	Cultural Council	2 years		

Notes:

- a. If a person who meets the special qualification listed for this position happens to be serving in another position, then this position may be filled without regard to the special qualification.
- b. If a person who meets the special qualification listed for this position happens to be serving in another position, then this position may be filled without regard to the special qualification or left unfilled at the discretion of the Cultural Council.
- c. Positions 9-15 may be filled or left unfilled, at the discretion of the Cultural Council.

Section 5. Officers. As soon as possible, the persons appointed to Positions 1 through 5 shall meet and appoint persons to fill the remaining 2 to 10 positions. Within one month after that initial meeting, the Cultural Council shall meet and organize by electing from the members of the Council a Chair and a Vice Chair. The Chair will have an initial term of one year. For subsequent years the Cultural Council will pick a Chair for a term of one year with the possibility of selection for an additional year. The term for Vice Chair shall be one year, and the Vice Chair will not automatically ascend to become the Chair. There will be no term limit on serving as Vice Chair. It shall be the duty of the Chair to preside at all meetings of the Cultural Council. In the Chair's absence, the Vice Chair shall preside. The Chair shall propose an agenda for meetings and shall vote on matters being voted on by the Cultural Council. The Chair shall select a member to record decisions of the Cultural Council that establish policies or recommendations.

Section 6. Voting. A quorum of the Cultural Council shall be a majority of persons currently serving as voting members. A quorum must be present in order for a vote to be taken on a recommendation or a permanent policy. Each voting member is entitled to one vote. All matters establishing policies, recommendations, or decisions shall be decided by a majority vote of voting members present.

Section 7. Liaisons. The Cultural Council may designate "Cultural Council Liaisons." Liaisons are intended to be resources for technical advice or expertise or to provide connections to other organizations. Liaisons will be invited to all Cultural Council meetings, but will not be required to attend and will not vote. The Cultural Council may choose to designate any number of Liaisons. The Cultural Council shall, at least once per

calendar year, review and make current the list of Cultural Council Liaisons. Typically one City Councilmember will be designated a Liaison.

Section 8. Procedure. All business of the Cultural Council shall be guided by "Roberts Rules of Order". The Cultural Council may adopt a written policy of Cultural Council practices; so long as prior to December 31, 2005 such practices are not inconsistent with this Resolution or other direction of City Council. The City Council intends that the members of the Cultural Council will lead its transformation into a private nonprofit organization prior to December 31, 2005. In turn, the City Council will no longer appoint members of the Cultural Council nor determine operating procedures for it.

Section 9. The members of the Cultural Council shall receive no compensation from the City of Kirkland. Expenses specifically authorized by the City Manager may be advanced or reimbursed to a member.

Section 10. Funds. The Cultural Council may choose to do fundraising with the goal of support for Cultural Council projects. The City Council intends to seek and consider Cultural Council recommendations for use of funds received through such fundraising. Until the Cultural Council becomes a private entity, all fundraising receipts must be handled in accordance with laws, rules and policies applicable to city funds. For example, The City Council must appropriate funds before they are available to be spent and funds may only be used for allowable public purposes. In the event that the Cultural Council also wishes to seek other (general fund) financial support from the City, the Cultural Council must forward such specific request to the City Manager. The Cultural Council shall not imply City commitment to an expenditure before City approval of that recommendation or request.

Passed by majority vote of the Kirkland City Council in open meeting this 16<sup>th</sup> day of July, 2002.

Signed in authentication thereof this 16<sup>th</sup> day of July, 2002

\_\_\_\_\_  
MAYOR

Attest:

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

# Kirkland Cultural Council Achievements 2002-2008



2002	2003	2004	2005	2006	2007	2008
<p>City Council passes resolution 4353 creating KCC.</p>	<p>Mission Statement &amp; Action Plan created.</p>	<p>Landscape painting exhibit "Terrific Terrains" held at City Hall.</p>	<p>\$212,000 raised to purchase "Save the Animals" sculptures.</p>	<p>Became a sponsor of annual Kirkland Artist Studio Tour (KAST).</p>	<p>Created neighborhood art selection guidelines.</p>	<p>Completed appraisal for Kirkland Cannery project.</p>
<p>KCC members selected &amp; appointed 2002.</p>	<p>Strategic Plan developed.</p>	<p>Christine Bourdette sculpture design approved.</p>	<p>Recycled art exhibits at City Hall and Library held.</p>	<p>Brought "There Goes the Neighborhood" performance art to streets of downtown Kirkland.</p>	<p>Purchased Charlotte Renata Simpson work entitled "Bath House."</p>	<p>Produced Art in Public Places DVD to illustrate integrated art to developers.</p>
	<p>Public neighborhood discussions held regarding the arts.</p>	<p>Coordinated Biennial Art Exhibit visit from Vancouver BC.</p>	<p>Vicky Scuri selected as artist for soundwall installation along I-405 corridor.</p>	<p>Selected planning artist, Pam Beyette, to be involved in the Totem Lake project.</p>	<p>Installed Matador sculpture in Norkirk neighborhood.</p>	<p>Assisted with selection of artist for Totem Lake Freeway Station project.</p>
	<p>Public Art Policy adopted by City Council</p>		<p>Kirkland downtown public art walking tour guide developed.</p>	<p>Held public Open House to kick off Kirkland Cannery project.</p>	<p>City Council approved "Percent for Art" program and set aside \$50K to fund public art.</p>	<p>Sponsored annual Kirkland Artist Studio Tour (KAST).</p>
	<p>"Artists in Action" series @ Kirkland Wed market begins with \$1500 grant from 4Culture.</p>			<p>Completed pre-design study for Kirkland Cannery project.</p>	<p>Vicky Scuri soundwall installation along I-405 corridor completed.</p>	<p>Initiated the 20/20 Vision for the Arts and Culture strategic planning process and hired outside consultant.</p>
	<p>Recycled Art Exhibit held at City Hall.</p>			<p>Brought site specific art performance "urban beach walk" to downtown Kirkland.</p>	<p>Installed "Gyro 2" sculpture at Fire Station 21.</p>	<p>Assisted the Houghton neighborhood in purchasing Gesture #1 sculpture for Carillon Woods Park.</p>
	<p>Research conducted on 501c3 status option.</p>			<p>Initiated "Art in Private Development" program to assist developers with including art in their projects.</p>	<p>Sponsored annual Kirkland "Uncorked" art and wine event.</p>	<p>Sponsored annual Kirkland "Uncorked" art and wine event.</p>