



CITY OF KIRKLAND
City Manager's Office
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MEMORANDUM

To: Kurt Triplett, City Manager

From: James Lopez, Deputy City Manager, External Affairs
Christine Hendrickson, Web and Multimedia Specialist

Date: June 4, 2021

Subject: Proposed language of the Kirkland Cultural Arts Commission (KCAC) governing documents, including the Bylaws, amended in accordance with Resolution R-5470 and Resolution R-5478, and the City's Public Art Policy Guidelines, revised to align with Resolution R-5434 § 3e while increasing efficiency of operations.

RECOMMENDATION:

That the City Council approves by motion:

- 1) The proposed version of the Kirkland Cultural Arts Commission Bylaws as amended to reflect the Council's recent adoption of Resolution R-5478 setting the number of Commissioners and the appointment process; and
- 2) The proposed version of the Public Art Policy Guidelines revised to align with Resolution R-5434 section § 3e.

By approving the motions, these documents will be approved.

BACKGROUND DISCUSSION:

On March 5, 2021, the Council updated its policies and procedures through the adoption of Resolution R-5470. Chapter 8 of the Council's amended policies and procedures limits the City advisory boards and commissions to a maximum of seven (7) or eight (8) members and requires that all members are appointed by the City Council. Next, on May 18, the Council approved Resolution R-5478, which governs the Kirkland Cultural Arts Commission (KCAC) and was crafted in harmony with the Council's updated policies and procedures (R-5470). R-5478 reduced the membership from 13 to eight and vested appointment authority exclusively with the Council.

At the May 18 Council meeting, staff also indicated the need to return to Council in June to present the final proposed language for two additional documents governing the Cultural Arts Commission: the KCAC Bylaws, and the City's Public Art Policy Guidelines. These documents have been amended and enhanced to embrace both the Council's vision for boards and commissions as well as the Council's desire to expand diversity of public art, symbols, special events and City programming pursuant to Resolution R-5434 section § 3e.

Beyond the alignment with R-5434, the revised Public Art Policy Guidelines improve efficiencies and mark a more direct cohesion with actual operating procedures. In order to most effectively communicate the changes, staff has included a clean draft of the existing KCAC Bylaws (attachment A), a clean draft of the proposed changes to the Bylaws (attachment B) and a document showing the tracked changes between the documents (attachment C). Similarly, staff has included a clean draft of the existing Public Art Guidelines (attachment D), a clean draft of the proposed changes to the Guidelines (attachment E) and a document showing the tracked changes between the documents (attachment F).

Summarization of Key Changes

KCAC Bylaws:

The existing Bylaws have been distilled to separate KCAC governing policy elements from provisions more related to public art acquisition and implementation. As a result, the Bylaws reflect KCAC governing policy as guided by R-5478, while items more appropriate for the Public Art Policy Guidelines have been redirected as such. The updated Bylaws are more concise than the existing Bylaws, bringing cohesion and clarity to KCAC operations.

The most substantive changes to the current KCAC Bylaws relate to the number of seats on the KCAC and required criteria for certain seats. Prior to the passage of R-5478, the KCAC could have up to 13 and no fewer than seven members, with a portion of those members appointed by the City Council and a portion of those appointed by the KCAC.

The updated Bylaws mirror R-5478 by reducing the size of the KCAC to seven members plus one youth member, with all the seats appointed by the Council. Further, the existing appointment criteria has been removed. Previously, the KCAC desired certain seats to be filled by individuals who met specific criteria, such as "artist," or those with expertise in "cultural heritage" and/or "public art." These criteria have been removed to both reduce complexity and to improve opportunity for inclusivity, diversity and equity on the KCAC.

Public Art Policy Guidelines:

The Public Art Policy Guidelines have been modernized, streamlined, and enhanced to embrace Resolutions R-5240 and R-5434 and improve efficiencies across the realm of public art in the City of Kirkland. Key changes include:

- A. Inclusion of a racial equity statement:

Background

The Kirkland City Council acted in August of 2020 in response to community calls for the City to demonstrate that Black lives matter and help end structural racism. The City committed to several actions intended to improve the safety and respect of Black people and to examine and dismantle structural racism in Kirkland. Among other actions, the City was to develop accountability strategies for evaluating whether public art, public symbols, special events and City programming in Kirkland are welcoming to all community members, as well as expanding the diversity of public art, symbols, events and programming to be more inclusive.

Racial Equity Statement

The KCAC, in alignment with the City Council, seeks to dismantle structural racism in Kirkland. The KCAC affirms that all people, their cultures, and their art contribute to the meaning and understanding of our shared humanity and should be honored and celebrated. The KCAC strives to proactively solicit and curate art that reflects the diversity of the Kirkland community, encourages a sense of belonging for all people, and supports the expression of historically marginalized communities. The art created by Black, Indigenous, and People of Color performs a unique role in our community and helps provide inspiration to resolve societal inequity and injustice. This important work of bringing equity to art is pivotal to the KCAC's efforts to confront injustices of the past and reveal inequities of the present in order to build a more diverse, inclusive collection of public art, now and in the future.

- B. A shift in emphasis from maintaining cohesion with the City's existing public art collection to instead an emphasis on cultivating a vibrant collection that reflects the diversity of the Kirkland community, encourages a sense of belonging for all people, and supports the expression of historically marginalized communities. A substantive excerpt from the proposed policy guidelines is provided below:

Proposed public art acquisitions and commissions shall be reviewed by the KCAC with recommendations to the City Council as appropriate. A recommendation will be requested from affected boards, commissions, organizations, and associations when appropriate.

Proposed public art acquisitions and commissions will be evaluated on the following:

1. The quality and aesthetic merit of the artwork.
2. Context within the City collection should be considered with the following criteria:
 - a. Does the artwork add diversity, convey artistic expression rooted and reflective of historically marginalized communities by artists from those communities, or enhance existing collections?
 - b. How does the piece engage the public?
 - c. Are the materials appropriate?
 - d. Is the piece susceptible to vandalism or graffiti?
3. Coordination with the Park Board or other affected commissions and departments concerning siting, costs of installation, and maintenance of artwork.
 - 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 artwork.
4. Donor conditions, if applicable.
5. 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 may be determined by a public art jury made up of surrounding neighbors, businesses, or associations (e.g., business or neighborhood) impacted by an artwork location.

- Priority will be given to artists based within the greater Puget Sound region.
- 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 artwork 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.
- The KCAC may form a diversity, equity, and inclusion subcommittee to help guide its process to examine and seek to expand the diversity of the City's public art.

C. A streamlined process for art acquisition and commission, bringing clarity to the process based on the type of art and its monetary value.

Recommendation to Council

The KCAC will be asked to recommend to Council any acquisitions or commissions that are:

- 1) permanent art (≥ 2 years), regardless of the purchase price;
- 2) temporary art (< 2 years) the City will be spending \$7,500 or more to purchase;
- 3) ephemeral art (< 60 days) the City will be spending \$7,500 or more to purchase;
- 4) acquired through the 1% for Art program; OR
- 5) a gift or loan of artwork valued at \$7,500 or more.

Nothing in these guidelines limits the City Manager's authority to bring art proposals to the Council even if the KCAC opposes or does not provide a recommendation on the acquisition.

Recommendation to the City Manager

The KCAC may be asked to recommend to the City Manager any acquisitions or commissions that are:

- 1) ephemeral art (< 60 days) the City will be spending under \$7,500 to purchase;
- 2) temporary art (< 2 years) the City will be spending under \$7,500 to purchase; OR
- 3) a gift or loan of artwork valued under \$7,500.

Separately from acquisitions, subject to the approval of the City Manager, the KCAC will have the authority to direct expenditures for cultural or arts-related programs or events using 4Culture art grants funding.

The City Manager may, from time to time, rely on the KCAC for advice regarding other cultural or arts-related programs or events.

NEXT STEPS:

Staff recommend that the City Council approves by motion:

- 1) The proposed version of the Kirkland Cultural Arts Commission Bylaws as amended to reflect the Council's recent adoption of Resolution R-5478 setting the number of Commissioners and the appointment process; and
- 2) The proposed version of the Public Art Policy Guidelines revised to align with Resolution R-5434 section § 3e.

Attachment A: Kirkland Cultural Arts Commission Bylaws (Current)

Attachment B: Kirkland Cultural Arts Commission Bylaws (Proposed)

Attachment C: Kirkland Cultural Arts Commission Bylaws (Track Changes)

Attachment D: City of Kirkland Public Art Policy Guidelines (Current)

Attachment E: City of Kirkland Public Art Policy Guidelines (Proposed)

Attachment F: City of Kirkland Public Art Policy Guidelines (Track Changes)

Kirkland Cultural Arts Commission BYLAWS

Article I: Name. The name of the Commission shall be the Kirkland Cultural Arts Commission.

Article II: Purpose: The primary purpose of the Kirkland Cultural Arts Commission (KCAC) shall be to advise the City Council on public art acquisitions and loans, and review and recommend projects under the City's "one percent for the arts" program. After consultation with the City Manager, and based on the availability of resources, the KCAC may also promote strategic planning and development for arts, culture, and heritage in the community, including implementation of projects.

Article III: KCAC Body

Section 1. Membership and Selection

- a. The KCAC shall be appointed by the Kirkland City Council and the KCAC: There will be no fewer than 7 members and no more than 13 members of the KCAC. The City Council shall appoint members 1-5 and 13, while the KCAC shall, in its discretion, appoint members 6-12. All of the members shall reside or own a business within the City of Kirkland. All members must have an interest in the arts and in the role of public art in the community. A member may serve in an individual capacity, even if he or she works for an organization that may make a proposal to the KCAC. The membership of the KCAC is intended to reflect balance, taking into account such elements as the diversity of the community, connection to various geographic areas of the City, and art, culture, and heritage expertise.
- b. Position 1 shall be filled by a "Youth", meaning a person who meets the requirements of Kirkland Municipal Code 3.08.110(b). Position 6 shall be filled by an "Artist," meaning a person who has demonstrated commitment as an artist. Positions 2 and 7 shall designated as "Public Art" positions, meaning filled by a person with demonstrated expertise in the area of public art, including the curation and management of a public art collection. Position 8 shall be designated "Cultural Heritage" meaning it is filled by a person who has demonstrated a commitment to cultural and/or heritage matters. If a person who meets the special qualifications listed above happens to be serving in another position, then this position may be filled without regard to the special qualification.

Section 2. Terms

- a. Except for the Youth Position, a member's term on the KCAC shall be for four years. Except as otherwise provided, the terms for all positions shall begin on April 1 and expire on March 31 of the applicable calendar year. The City Council shall appoint members 1-5 and 13, Positions 8-12 may be filled or left unfilled, at the discretion of the KCAC.
- b. A member may be reappointed to the KCAC; provided, that no person shall serve as a member for more than two full terms.
- c. Vacancies shall be filled for the remainder of the unexpired term. The KCAC may choose to wait to fill positions 6-12 until the term expires.

Section 3. Parliamentary Authority (Voting)

- a. KCAC members must be present at the meeting or by phone to vote. Proxies and votes cast outside of the meeting are prohibited.
- b. Each member present at a meeting shall cast one vote on each motion. Voting may be by voice vote or by roll call.
- c. Although it is the duty of every member who has an opinion on a question to express it by his vote, he can abstain, since he cannot be compelled to vote.
- d. A member should abstain if they have a conflict of interest.
 - 1. The KCAC agrees to follow the City of Kirkland's Conflict of Interest Policy as it appears now or as amended in the future. (Reference EXHIBIT A, Chapter 3.14 CODE OF ETHICS, Section 3.14.030 PROHIBITED CONDUCT a. *Conflict of Interest*, and b. *Appearance of Conflict*.)
- e. A quorum of the KCAC shall be a majority of persons currently serving as voting members.
- f. All matters that must be voted on by KCAC members shall be determined by a simple majority vote.

Section 4. Attendance

- a. 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 KCAC, the KCAC shall consider removal of that member. In the case of a member who was appointed by the City Council, the KCAC shall report a member's pattern of absence to the City Council, together with a recommendation concerning removal by the City Council. A member who is 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.
- b. When a member who was appointed by the KCAC misses three or more consecutive meetings, not excused by a prearranged absence, the KCAC shall consider removal of that member.
- c. In the case of a member who was appointed by the City Council, the KCAC shall report a member's pattern of absence to the City Council, together with a recommendation concerning removal by the City Council.
- d. In the case of a member who was appointed by the City Council, the KCAC shall report a member's pattern of absence to the City Council, together with a recommendation concerning removal by the City Council.

Section 5. Duties

- a. Participation: KCAC members shall be expected to participate in at least one standing committee and/or task force per year.
- b. Ambassadorship: KCAC members shall be expected to attend at least one program or event that the KCAC supports and/or endorses per year.

Article IV: Officers

Section 1. Appointment, Designation and Number:

- a. The KCAC has the following officers: the Chair and the Vice Chair.

Section 2. Duties:

a. The Chair:

1. To preside at all meetings of the KCAC.
2. To open the meetings of the KCAC.
3. To sign documents as authorized by the KCAC.
4. To act as a liaison between the KCAC and other city entities.
5. To facilitate the orderly discussion of the KCAC and guide the KCAC in providing direction to staff and making recommendations to the City Council.

b. Duties of the Vice Chair:

1. During the absence, disability, or disqualification of the Chair, or upon the request of the Chair, the Vice Chair shall exercise all the above duties and be subject to all the responsibilities of the Chair.

Section 3. Terms of Officers

- a. The Chair and the Vice Chair shall be elected by a majority vote of the KCAC at the first regular meeting each April.
 1. Chair: One-year term with the possibility of a one-year renewal.
 2. Vice Chair: One-year term with the possibility of a one-year renewal.

Section 4. Election of Officers

- a. All voting for officers must be done in an open public meetings. Secret ballot voting is not allowed. Paper ballots may be used for convenience as long as the results are tallied and votes are reported out in the meeting minutes.
- b. The names of all Commission members interested in the office are presented for a vote of the Commission members, and the member receiving the majority of the vote is elected to the office.
- c. A vote for Chair will be conducted followed by a vote for Vice Chair.

Section 5. Resignation or Termination of Officers

- a. An officer may resign at any time by submitting written notice of such resignation to the KCAC. An officer may be removed from office by a two-thirds vote of the remaining KCAC Members at a regular meeting, or a special meeting called for that purpose.
- b. An officer may be appointed by a simple majority of the KCAC to fill a vacancy on an interim basis. Re-election would take place April.

Article V. Committees:

Section 1. Purpose of Committees/Task Force Teams

- a. KCAC can establish committees and these committees are advisory to the KCAC.

- b. The purpose of committee structure is to facilitate and support the work of the KCAC via smaller working groups. Collectively, these committees are responsible for becoming the domain experts on the project or program and reporting back to the full KCAC at monthly meetings.

Section 2: Types of Committees/Task Force Teams

- a. Standing Committees work on longer-term projects or ongoing programs as determined by the KCAC.
- b. Task Force Teams work on shorter-term projects with a definitive goal and end date.

Section 3: Membership

- a. All KCAC members are expected to actively participate in at least one Standing Committee and/or Task Force Team per year.
- b. Members are assigned on a volunteer basis or by appointment or recommendation of the Chair based on other committee involvement, specific interest, and/or skill sets.
- c. Each Standing Committee shall have at least three (3) and no more than five (5) members. The committee may include other community stakeholders.
- d. Each Task Force Team should have at least two (2) and no more than four (4) members and may include other community stakeholders.
- e. A KCAC member must chair the committee or task force and be present at all meetings
- f. Less than a quorum of KCAC members may sit on a committee or attend committee meetings in order to adhere to Open Public Meetings Act, Chapter 42.30 RCW policy requirements.

Section 4. Terms of Committees/Task Force Teams

- a. Standing Committee terms will be completed upon the end of the assigned long term project or for a minimum of one year for ongoing programs.
- b. Task Force terms will be completed at the conclusion of the short term project.

Section 5: Authority & Reporting of Committees/Task Force Teams

- a. Committee members are expected to conduct research, make contacts, and become domain experts on their assigned program.
- b. Every Committee or Task Force shall appoint a chair or point person responsible for being the staff liaison and for reporting to the KCAC and putting to a vote any items that need to be voted on by the full KCAC.
- c. A majority of KCAC members assigned to a Committee must be present at that Committee meeting for a vote to be called regardless of other stakeholders present.
- d. As part of KCAC's operating procedures, any Committee or Task Force that seeks a vote by the KCAC is expected to provide a report for the Agenda one week before the regular meeting to enable an informed vote. If possible, The Chair or Staff will share the reports electronically with the full KCAC prior to the monthly meeting.

Article VI. Reporting Budget, Funding, and Annual Project Review:

Section 1. KCAC Annual Report

- a. The KCAC will provide an Annual Report on the work of the KCAC for the Kirkland City Council and Public review.

Article VII. Granting of Discretionary Funds (4Culture or other funds, not 1% CIP funding)

Section 1. Proposal Review and Selection Process

- a. Staff will share information on new sources of funds and seek KCAC direction.
- b. City staff shall create a public call for proposals.
- c. Complete proposals from all eligible organizations will be considered for review by the full KCAC.
- d. A majority vote by the full KCAC is necessary to determine grant recipients.

Article VIII. Meetings of the KCAC

Section 1. Regular Meetings:

- a. The KCAC shall meet at least every other month, and no more than ten times per year.
- b. A quorum, majority of the appointed members of the Cultural Arts Commission, must be in attendance or participate via a conference call or other electronic media before business can be transacted. Every motion by the Cultural Arts Commission requires approval of a majority of the KCAC members present to pass.
- c. The Open Public Meetings Act Chapter 42.30 RCW shall apply to the KCAC.
- d. The KCAC meets monthly for up to a two-hour duration for no more than ten times per year.
- e. Any party that would like to be added to the KCAC Agenda must make a request one week prior to the regularly scheduled meeting.
- f. The Chair shall permit any person to make a brief oral presentation at the KCAC meeting. Comments are limited to 3 minutes per speaker unless otherwise authorized by the Chair. No more than three speakers may address the KCAC on any one subject. However, if both proponents and opponents wish to speak, then up to three proponents and up to three opponents of the matter may address the KCAC.

Section 2. Special Meetings:

- a. The KCAC shall meet for special meetings at the discretion of the Chair or a majority of the KCAC.
- b. All special meetings shall be recognized by delivering notice including time and place by email at least 24 hours in advance to KCAC members.

Section 4. Agenda: The Agenda shall be distributed to KCAC

- a. The Chair, Vice Chair and staff shall determine the Agenda one week prior to the regularly scheduled meeting.
- b. The Agenda shall be distributed to the KCAC Members prior to the regularly scheduled meeting.

Section 6. Conduct of the meeting:

- a. Any questions concerning parliamentary procedure at meetings shall be determined by a reference to Robert's Rules of Order Revised except where such rules conflict with these Bylaws. The Rules may be suspended by a two-thirds vote.

Section 7. Records:

- a. All minutes from monthly KCAC meetings shall be filed and be available for public review.
- b. Approval of the monthly KCAC meeting minutes shall occur at the following monthly meeting.

Article IX: Nondiscrimination:

- a. The KCAC agrees to adopt the Nondiscrimination Policy of the City of Kirkland as it appears now or as amended in the future.

Article X: Amendment of the Bylaws:

- a. These Bylaws may be amended, added to, or repealed by a two-thirds vote of the persons currently serving as voting members of the KCAC.

Kirkland Cultural Arts Commission

BYLAWS

The Kirkland Cultural Arts Commission (KCAC) is an advisory body to the Kirkland City Council. Provisions establishing the purpose of the KCAC and establishing requirements for member terms, vacancies, and attendance are contained in the governing legislation, Resolution R-5478, and in the City Council Policies and Procedures, as adopted in Resolution R-5470 or hereinafter amended. These bylaws provide additional procedures for the operation of the KCAC.

Article I. Member Responsibilities

Section 1. Code of Ethics and Nondiscrimination

- A. KCAC members must follow the City of Kirkland's Conflict of Interest Policy as it appears now or as amended in the future, as detailed in the City Council Policies and Procedures and in the City's Code of Ethics, Chapter 3.14 of the Kirkland Municipal Code.
- B. The KCAC and its members must follow the Nondiscrimination Policy of the City of Kirkland as it appears now or as amended in the future.

Section 2. Attendance

- A. When a member misses three or more consecutive meetings, not excused by a majority vote of the KCAC, the KCAC will consider reporting a member's pattern of absence to the City Council, together with a recommendation concerning removal by the City Council.
- B. A member who is unable to attend regular meetings is expected to tender their resignation, which resignation will be effective on such date designated by the resigning member.

Section 3. Additional Duties

- A. Participation: KCAC members are expected to participate in at least one standing committee and/or task force team per year.
- B. Ambassadorship: KCAC members are expected to attend at least one program or event that the KCAC supports and/or endorses per year.

Article II. Parliamentary Authority

Section 1. Conduct of Meetings

- A. Any questions concerning parliamentary procedure at meetings will be determined by reference to Robert's Rules of Order Revised, except where such rules conflict with the City Council Policies and Procedures or these Bylaws. The Parliamentary Rules may be suspended by a two-thirds vote of the KCAC.

Section 2. Voting

- A. To vote, a KCAC member must be present at the meeting, either in-person or virtually as authorized by the City Council, or must attend by phone. Proxies and votes cast outside of the meeting are prohibited.
- B. Each member present at a meeting may cast one vote on each motion. Voting may be by voice vote or by roll call.
- C. Although it is the duty of every member who has an opinion on a question to express it by their vote, they can abstain, since they cannot be compelled to vote.
- D. A member must abstain from voting if they have a conflict of interest.
- E. Every motion requires approval of a majority of the KCAC members present to pass.

Article III. Officers

Section 1. Duties of the Officers

- A. The Chair
 - i. To preside at all meetings of the KCAC.
 - ii. To open the meetings of the KCAC.
 - iii. To sign documents on behalf of the KCAC, as authorized by the City Council.
 - iv. To act as a liaison between the KCAC and other City entities.
 - v. To facilitate the orderly discussion of the KCAC and guide the KCAC in providing direction to staff and making recommendations to the City Council.
- B. Vice Chair
 - i. During the absence, disability, or disqualification of the Chair, or upon the request of the Chair, the Vice Chair will exercise the above duties and be subject to the responsibilities of the Chair.

Section 2. Process for Election of Officers

- A. All voting for officers must be done in an open public meeting. Secret ballot voting is not allowed. Paper ballots may be used for convenience as long as the results are tallied and votes are reported out in the meeting minutes.

- B. The names of all KCAC members interested in an office are to be presented for a vote of the KCAC members, and the member receiving the majority of the vote is elected to the office.
- C. A vote for Chair will be conducted first, followed by a vote for Vice Chair.

Section 3. Resignation or Termination of Officers

- A. An officer may resign from office at any time by submitting written notice of such resignation to the KCAC.
- B. An officer may be removed from office by a two-thirds vote of the remaining KCAC Members at a regular meeting or at a special meeting called for that purpose.
- C. A member should be elected by the KCAC to fill a vacancy on an interim basis until the next regular election of officers.

Article IV. Meetings

Section 1. The Open Public Meetings Act, chapter 42.30 RCW, applies to the KCAC.

Section 2. Regular Meetings

- A. The KCAC will meet at least every other month, but no more than ten times per year. Meetings may be for up to a two-hour duration.
- B. A majority of the appointed members of the KCAC constitutes a quorum. A quorum must be in attendance or participate via a conference call or other electronic media before business can be transacted.
- C. Public Comments:
 - i. The Chair will permit any person to make a brief oral presentation at the KCAC meeting.
 - ii. Public comments are limited to 3 minutes per speaker.
 - iii. No more than three speakers at one meeting may address the KCAC on any one subject. However, if both proponents and opponents wish to speak, then up to three proponents and up to three opponents of the matter may address the KCAC.

Section 3. Special Meetings

- A. The KCAC will meet for special meetings at the discretion of the Chair or a majority of the KCAC.
- B. All special meetings must be recognized by proper public notice. In addition, KCAC members should be provided notice, including time and place, by email at least 24 hours in advance of the special meeting.

Section 4. Meeting Agenda

- A. A meeting agenda will be distributed to KCAC members in advance of the meeting.
- B. The Chair, Vice Chair, and City staff will determine the Agenda one week prior to the regularly scheduled meeting.
- C. Any member who would like to add an item to the KCAC Agenda must make a request to the Chair and City staff one week prior to the regularly scheduled meeting.

Section 5. Minutes

- A. Approval of the KCAC meeting minutes must occur at the following monthly meeting.
- B. All approved meeting minutes from KCAC meetings must be filed and be available for public review.

Article V. Committees

Section 1. Purpose

- A. The KCAC can establish committees or task force teams to be advisory to the KCAC.
- B. The purpose of committee or task force team structure is to facilitate and support the work of the KCAC via smaller working groups. Collectively, these committees or teams are responsible for becoming the domain experts on the assigned project or program and for reporting back to the full KCAC at regular meetings.

Section 2. Types and Terms

- A. Standing committees work on longer-term projects or ongoing programs as determined by the KCAC. Standing committee terms will be completed upon the end of the assigned long-term project or for a minimum of one year for ongoing programs.
- B. Task force teams work on shorter-term projects with a definitive goal and end date. Task force team terms will be completed at the conclusion of the short-term project.

Section 3. Membership

- A. All KCAC members are expected to actively participate in at least one Standing Committee and/or Task Force Team per year provided opportunities are available.

- B. Members are assigned on a volunteer basis or by appointment or recommendation of the Chair based on other committee involvement, specific interest, and/or skill sets.
- C. Each standing committee will have three (3) KCAC members and may include other community stakeholders.
- D. Each task force team should have at least two (2) and no more than three (3) KCAC members and may include other community stakeholders.
- E. A KCAC member must chair the committee or task force and be present at all meetings.
- F. Less than a quorum of KCAC members may sit on a committee or attend committee meetings in order to adhere to requirements of the Open Public Meetings Act, chapter 42.30 RCW.

Section 4. Authority & Reporting

- A. Committee members are expected to conduct research, make contacts, and become domain experts on their assigned program.
- B. Every committee or task force must appoint a chair or point person responsible for being the staff liaison and for reporting to the KCAC and putting to a vote any items that need to be voted on by the full KCAC.
- C. A majority of KCAC members assigned to a committee must be present at that committee meeting for a vote to be called, regardless of any other stakeholders present.
- D. Any committee or task force that seeks a vote by the KCAC is expected to provide a report for the KCAC Agenda one week before the regular meeting, to enable an informed vote. If possible, the Chair or City staff will share reports electronically with the full KCAC prior to the monthly meeting.

Article VI. Annual Report

- Section 1. The KCAC will provide an annual report on the work of the KCAC for the Kirkland City Council and the public to review, including reporting on budget, funding, and annual project review.

Article VII. Discretionary Funds

- Section 1. From time to time, the City Manager may obtain or otherwise make available discretionary funding to support cultural or arts programming. Such discretionary funding includes 4Culture grants or other funds, but it does not include any 1% for Art funding.

- Section 2. Proposal Review and Selection Process

- A. Staff will share information on new sources of funds and seek KCAC direction on use of the funding.
- B. Upon direction by the KCAC, City staff will create a public call for proposals, if applicable.
- C. Complete proposals from all eligible organizations will be considered for review by the full KCAC.
- D. A majority vote by the full KCAC is necessary to determine grant recipients.

Article VIII. Bylaws Amendment

- Section 1. These Bylaws may be amended by a two-thirds vote of the members of the KCAC, provided such amendments are not in conflict with Resolution R-5478, with the City Council Policies and Procedures, as applicable to advisory bodies, or with applicable municipal code.

Kirkland Cultural Arts Commission

BYLAWS

The Kirkland Cultural Arts Commission (KCAC) is an advisory body to the Kirkland City Council. Provisions establishing the purpose of the KCAC and establishing requirements for member terms, vacancies, and attendance are contained in the governing legislation, Resolution R-5478, and in the City Council Policies and Procedures, as adopted in Resolution R-5470 or hereinafter amended. These bylaws provide additional procedures for the operation of the KCAC.

Article I. Member Responsibilities

Section 1. Code of Ethics and Nondiscrimination

- A. KCAC members must follow the City of Kirkland's Conflict of Interest Policy as it appears now or as amended in the future, as detailed in the City Council Policies and Procedures and in the City's Code of Ethics, Chapter 3.14 of the Kirkland Municipal Code.
- B. The KCAC and its members must follow the Nondiscrimination Policy of the City of Kirkland as it appears now or as amended in the future.

Section 2. Attendance

~~**Article I: Name.** The name of the Commission shall be the Kirkland Cultural Arts Commission.~~

- A. ~~Article II:~~ When a member misses three or more consecutive meetings, not excused by a majority vote of the KCAC, the KCAC will consider reporting a member's pattern of absence to the City Council, together with a recommendation concerning removal by the City Council.
- B. A member who is unable to attend regular meetings is expected to tender their resignation, which resignation will be effective on such date designated by the resigning member.

Section 3. Additional Duties

- A. Participation: KCAC members are expected to participate in at least one standing committee and/or task force team per year.
- B. Ambassadorship: KCAC members are expected to attend at least one program or event that the KCAC supports and/or endorses per year.

Purpose: The primary purpose of the Kirkland Cultural Arts Commission (KCAC) shall be to advise the City Council on public art acquisitions and loans, and review and recommend projects under the City's "one percent for the arts" program. After consultation with the City Manager, and based on the availability of resources, the KCAC may also promote strategic planning and development for arts, culture, and heritage in the community, including implementation of projects.

Article III: KCAC Body

Section 1. Membership and Selection

- a. ~~The KCAC shall be appointed by the Kirkland City Council and the KCAC. There will be no fewer than 7 members and no more than 13 members of the KCAC. The City Council shall appoint members 1-5 and 13, while the KCAC shall, in its discretion, appoint members 6-12. All of the members shall reside or own a business within the City of Kirkland. All members must have an interest in the arts and in the role of public art in the community. A member may serve in an individual capacity, even if he or she works for an organization that may make a proposal to the KCAC. The membership of the KCAC is intended to reflect balance, taking into account such elements as the diversity of the community, connection to various geographic areas of the City, and art, culture, and heritage expertise.~~
- b. ~~Position 1 shall be filled by a "Youth", meaning a person who meets the requirements of Kirkland Municipal Code 3.08.110(b). Position 6 shall be filled by an "Artist," meaning a person who has demonstrated commitment as an artist. Positions 2 and 7 shall designated as "Public Art" positions, meaning filled by a person with demonstrated expertise in the area of public art, including the curation and management of a public art collection. Position 8 shall be designated "Cultural Heritage" meaning it is filled by a person who has demonstrated a commitment to cultural and/or heritage matters. If a person who meets the special qualifications listed above happens to be serving in another position, then this position may be filled without regard to the special qualification.~~

Section 2. Terms

- a. ~~Except for the Youth Position, a member's term on the KCAC shall be for four years. Except as otherwise provided, the terms for all positions shall begin on April 1 and expire on March 31 of the applicable calendar year. The City Council shall appoint members 1-5 and 13, Positions 8-12 may be filled or left unfilled, at the discretion of the KCAC.~~
- b. ~~A member may be reappointed to the KCAC; provided, that no person shall serve as a member for more than two full terms.~~
- c. ~~Vacancies shall be filled for the remainder of the unexpired term. The KCAC may choose to wait to fill positions 6-12 until the term expires.~~

Article II. Section 3. Parliamentary Authority

Section 1. Conduct of Meetings

- A. Any questions concerning parliamentary procedure at meetings will be determined by reference to Robert's Rules of Order Revised, except where such rules conflict with the City Council Policies and Procedures or these Bylaws. The Parliamentary Rules may be suspended by a two-thirds vote of the KCAC.

Section 2. Voting

- A. To vote, a KCAC member must be present at the meeting ~~or, either in-person or virtually as authorized by the City Council, or must attend by phone to vote.~~ Proxies and votes cast outside of the meeting are prohibited.
- B. Each member present at a meeting ~~shall~~may cast one vote on each motion. Voting may be by voice vote or by roll call.
- C. Although it is the duty of every member who has an opinion on a question to express it by ~~his~~their vote, ~~he~~they can abstain, since ~~he~~they cannot be compelled to vote.
- D. A member ~~should~~must abstain from voting if they have a conflict of interest.

~~Section 2. — The KCAC agrees to follow the City of Kirkland's Conflict of Interest Policy as it appears now or as amended in the future. (Reference EXHIBIT A, Chapter 3.14 CODE OF ETHICS, Section 3.14.030 PROHIBITED CONDUCT a. Conflict of Interest, and b. Appearance of Conflict.)~~

~~Article II. — A quorum of the KCAC shall be a majority of persons currently serving as voting members.~~

~~Article III. — All matters that must be voted on by KCAC members shall be determined by a simple majority vote.~~

E. — Section 4. Every motion requires approval of a majority of the KCAC members present to pass.

~~Section 1. — Attendance~~

- ~~a. 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 KCAC, the KCAC shall consider removal of that member. In the case of a member who was appointed by the City Council, the KCAC shall report a member's pattern of absence to the City Council, together with a recommendation concerning removal by the City Council. A member who is 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.~~
- ~~b. When a member who was appointed by the KCAC misses three or more consecutive meetings, not excused by a prearranged absence, the KCAC shall consider removal of that member.~~
- ~~c. In the case of a member who was appointed by the City Council, the KCAC shall report a member's pattern of absence to the City Council, together with a recommendation concerning removal by the City Council.~~
- ~~d. In the case of a member who was appointed by the City Council, the KCAC shall report a member's pattern of absence to the City Council, together with a recommendation concerning removal by the City Council.~~

~~Section 5. Duties~~

- ~~a. Participation: KCAC members shall be expected to participate in at least one standing committee and/or task force per year.~~
- ~~b. Ambassadorship: KCAC members shall be expected to attend at least one program or event that the KCAC supports and/or endorses per year.~~

~~Article IV.~~Article III. ~~Article IV: Officers~~

~~Section 1. Appointment, Designation and Number:~~

Section 1. The KCAC has Duties of the following officers: the Officers

A. The Chair ~~and the Vice Chair.~~

~~Section 2. Duties:~~

~~a. The Chair:~~

- i. To preside at all meetings of the KCAC.
- ii. To open the meetings of the KCAC.
- iii. To sign documents on behalf of the KCAC, as authorized by the ~~KCAC~~City Council.
- iv. To act as a liaison between the KCAC and other ~~city~~City entities.
- v. To facilitate the orderly discussion of the KCAC and guide the KCAC in providing direction to staff and making recommendations to the City Council.

B. ~~Duties of the~~ Vice Chair:

- i. During the absence, disability, or disqualification of the Chair, or upon the request of the Chair, the Vice Chair ~~shall~~will exercise ~~all~~ the above duties and be subject to ~~all~~ the responsibilities of the Chair.

~~Section 3. Terms of Officers~~

~~a. The Chair and the Vice Chair shall be elected by a majority vote of the KCAC at the first regular meeting each April.~~

~~1. Chair: One year term with the possibility of a one year renewal.~~

~~2. Vice Chair: One year term with the possibility of a one year renewal.~~

Section 2. Section 4. Process for Election of Officers

- A. All voting for officers must be done in an open public ~~meetings~~meeting. Secret ballot voting is not allowed. Paper ballots may be used for convenience as long as the results are tallied and votes are reported out in the meeting minutes.

- B. The names of all ~~Commission~~KCAC members interested in ~~the~~an office are ~~to be~~ presented for a vote of the ~~Commission~~KCAC members, and the member receiving the majority of the vote is elected to the office.
- C. A vote for Chair will be conducted first, followed by a vote for Vice Chair.

Section 3. ~~Section 5.~~ Resignation or Termination of Officers

- A. An officer may resign from office at any time by submitting written notice of such resignation to the KCAC.
- ~~A.B.~~ An officer may be removed from office by a two-thirds vote of the remaining KCAC Members at a regular meeting, or at a special meeting called for that purpose.
- C. ~~An officer may~~A member should be ~~appointed~~delected by ~~a simple majority of the~~ KCAC to fill a vacancy on an interim basis. ~~Re- until the next regular election of officers.~~

Article IV. Meetings

Section 1. The Open Public Meetings Act, chapter 42.30 RCW, applies to the KCAC.

Section 2. Regular Meetings

- A. The KCAC will meet at least every other month, but no more than ten times per year. Meetings may be for up to a two-hour duration.
- B. A majority of the appointed members of the KCAC constitutes a quorum. A quorum must be in attendance or participate via a conference call or other electronic media before business can be transacted.
- C. Public Comments:
 - i. The Chair will permit any person to make a brief oral presentation at the KCAC meeting.
 - ii. Public comments are limited to 3 minutes per speaker.
 - iii. No more than three speakers at one meeting may address the KCAC on any one subject. However, if both proponents and opponents wish to speak, then up to three proponents and up to three opponents of the matter may address the KCAC.

Section 3. Special Meetings

- A. The KCAC will meet for special meetings at the discretion of the Chair or a majority of the KCAC.

- B. All special meetings must be recognized by proper public notice. In addition, KCAC members should be provided notice, including time and place, by email at least 24 hours in advance of the special meeting.

Section 4. Meeting Agenda

- A. A meeting agenda will be distributed to KCAC members in advance of the meeting.
- B. The Chair, Vice Chair, and City staff will determine the Agenda one week prior to the regularly scheduled meeting.
- B.C. Any member who would take place April like to add an item to the KCAC Agenda must make a request to the Chair and City staff one week prior to the regularly scheduled meeting.

Section 5. ~~Article V.~~ Minutes

- A. Approval of the KCAC meeting minutes must occur at the following monthly meeting.
- B. All approved meeting minutes from KCAC meetings must be filed and be available for public review.

Article V. Committees:

Purpose — ~~Section 1. Purpose of Committees/Task Force Teams~~

Section 1.

- A. The KCAC can establish committees ~~and these committees are or~~ task force teams to be advisory to the KCAC.
- B. The purpose of committee ~~or task force team~~ structure is to facilitate and support the work of the KCAC via smaller working groups. Collectively, these committees ~~or teams~~ are responsible for becoming the domain experts on the assigned project or program and ~~for~~ reporting back to the full KCAC at ~~monthly~~regular meetings.

~~Section 2: Types of Committees/Task Force Teams~~

Section 2. Types and Terms

- C.A. Standing ~~Committees~~committees work on longer-term projects or ongoing programs as determined by the KCAC. ~~Standing committee terms will be completed upon the end of the assigned long-term project or for a minimum of one year for ongoing programs.~~

- ~~D.B.~~ B. Task ~~Force Teams~~force teams work on shorter-term projects with a definitive goal and end date. Task force team terms will be completed at the conclusion of the short-term project.

~~Section 2.~~Section 3. ~~Section 3:~~ Membership

- A. All KCAC members are expected to actively participate in at least one Standing Committee and/or Task Force Team per year provided opportunities are available.
- B. Members are assigned on a volunteer basis or by appointment or recommendation of the Chair based on other committee involvement, specific interest, and/or skill sets.
- C. Each ~~Standing Committee shall~~standing committee will have ~~at least~~ three (3) ~~and no more than five (5) KCAC~~ members. ~~The committee_ and~~ may include other community stakeholders.
- D. Each ~~Task Force Team~~task force team should have at least two (2) and no more than ~~four (4)~~three (3) KCAC members and may include other community stakeholders.
- E. ~~A-~~ KCAC member must chair the committee or task force and be present at all meetings.
- F. Less than a quorum of KCAC members may sit on a committee or attend committee meetings in order to adhere to requirements of the Open Public Meetings Act, ~~Chapter~~chapter 42.30 RCW ~~policy requirements.~~

~~Section 4. Terms of Committees/Task Force Teams~~

- ~~a. Standing Committee terms will be completed upon the end of the assigned long term project or for a minimum of one year for ongoing programs.~~
- ~~b. Task Force terms will be completed at the conclusion of the short term project.~~

~~Section 3.~~Section 4. ~~Section 5:~~ Authority & Reporting of Committees/Task Force Teams

- A. Committee members are expected to conduct research, make contacts, and become domain experts on their assigned program.
- B. Every ~~Committee~~committee or ~~Task Force shall~~task force must appoint a chair or point person responsible for being the staff liaison and for reporting to the KCAC and putting to a vote any items that need to be voted on by the full KCAC.
- C. A majority of KCAC members assigned to a ~~Committee~~committee must be present at that ~~Committee~~committee meeting for a vote to be called, regardless of any other stakeholders present.

- D. ~~As part of KCAC's operating procedures, any Committee~~Any committee or ~~Task Force~~task force that seeks a vote by the KCAC is expected to provide a report for the KCAC Agenda one week before the regular meeting, to enable an informed vote. If possible, ~~The~~the Chair or ~~Staff~~City staff will share ~~the~~ reports electronically with the full KCAC prior to the monthly meeting.

~~Article VI. Reporting Budget, Funding, and Annual Project Review:~~

Article VI. ~~Section 1. KCAC~~ Annual Report

- Section 1. The KCAC will provide an ~~Annual Report~~annual report on the work of the KCAC for the Kirkland City Council and ~~Public~~the public to review, including reporting on budget, funding, and annual project review.

~~Article VII. Article VII. Granting of Discretionary Funds~~

~~Section 2.~~Section 1. From time to time, the City Manager may obtain or otherwise make available discretionary funding to support cultural or arts programming. Such discretionary funding includes ⁴Culture grants or other funds, but it does not include any 1% ~~GP~~for Art funding).

~~Section 3.~~Section 2. ~~Section 1.~~ Proposal Review and Selection Process

- A. Staff will share information on new sources of funds and seek KCAC direction on use of the funding.
- B. Upon direction by the KCAC, City staff ~~shall~~will create a public call for proposals, if applicable.
- C. Complete proposals from all eligible organizations will be considered for review by the full KCAC.
- D. A majority vote by the full KCAC is necessary to determine grant recipients.

~~Article VIII. Article VIII. Meetings~~Bylaws Amendment

These Bylaws may be amended by a two-thirds vote of the ~~KCAC~~

~~Section 1. Regular Meetings:~~

- a. ~~The KCAC shall meet at least every other month, and no more than ten times per year.~~
- b. ~~A quorum, majority of the appointed members of the Cultural Arts Commission, must be in attendance or participate via a conference call or other electronic media before business can be transacted. Every motion by the Cultural Arts Commission requires approval of a majority of the KCAC members present to pass.~~
- c. ~~The Open Public Meetings Act Chapter 42.30 RCW shall apply to the KCAC.~~
- d. ~~The KCAC meets monthly for up to a two-hour duration for no more than ten times per year.~~

- e. ~~Any party that would like to be added to the KCAC Agenda must make a request one week prior to the regularly scheduled meeting.~~
- f. ~~The Chair shall permit any person to make a brief oral presentation at the KCAC meeting. Comments are limited to 3 minutes per speaker unless otherwise authorized by the Chair. No more than three speakers may address the KCAC on any one subject. However, if both proponents and opponents wish to speak, then up to three proponents and up to three opponents of the matter may address the KCAC.~~

— ~~Section 2. KCAC, provided~~ Special Meetings:

- a. ~~The KCAC shall meet for special meetings at the discretion of the Chair or a majority of the KCAC.~~
- b. ~~All special meetings shall be recognized by delivering notice including time and place by email at least 24 hours in advance to KCAC members.~~

— ~~Section 4. Agenda: The Agenda shall be distributed to KCAC~~

- a. ~~The Chair, Vice Chair and staff shall determine the Agenda one week prior to the regularly scheduled meeting.~~
- b. ~~The Agenda shall be distributed to the KCAC Members prior to the regularly scheduled meeting.~~

— ~~Section 6. Conduct of the meeting:~~

- a. ~~Any questions concerning parliamentary procedure at meetings shall be determined by a reference to Robert's Rules of Order Revised except where such rules amendments are not in conflict with these Bylaws. The Rules may be suspended by a two-thirds vote.~~

— ~~Section 7. Records:~~

- a. ~~All minutes from monthly KCAC meetings shall be filed and be available for public review.~~
- b. ~~Approval of the monthly KCAC meeting minutes shall occur at the following monthly meeting.~~

~~Article IX: Nondiscrimination:~~

- a. ~~The KCAC agrees to adopt the Nondiscrimination Policy of Resolution R-5478, with the City of Kirkland Council Policies and Procedures, as it appears now or as amended in the future.~~

~~Article X: Amendment of the Bylaws:~~

- a. ~~These Bylaws may be amended, added to, or repealed by a two-thirds vote of the persons currently serving as voting members of the KCAC.~~

~~Section 4.~~Section 1. ~~_____ applicable to advisory bodies, or with applicable~~
municipal code.

CITY OF KIRKLAND 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.

CROSS KIRKLAND CORRIDOR EPHEMERAL ART

The Cross Kirkland Corridor (CKC) is a civic open space and active transportation connection. Art on the CKC has been envisioned as one more civic expression of the city and its residents, and as a catalyst for the corridor becoming a sought after destination for visitors to the city. Reference the CKC Masterplan and CKC Art Integration Plan for further detail.

One type of art that is encouraged on the CKC is Ephemeral Art, art which is built to last only a short period of time. These artworks are often left to degrade in natural environmental conditions. Examples of such art include: art made out of natural material, water soluble painting. Ephemeral Art can also be art performances or art installations that are created and then dismantled after their exhibit.

- Ephemeral art, visual or performance art or some other art expression, shall be allowed on the corridor for no more than 60 days, and in this way distinguished from permanent art and other temporary art
- Stakeholders, representatives from the KCAC, representatives from the CKC Steering Committee, Office of the Special Events Coordinator and others as deemed appropriate shall be included in conceptual review of the art
- Approval of the art will require recommendations from these stakeholders and any other affected City departments with final approval vested in the KCAC
- In reviewing the art concept, the KCAC and other parties to the decision shall take into account:
 - The compatibility of the concept in the proposed character zone of the Cross Kirkland Corridor and the Cross Kirkland Corridor Art Integration Plan.

- The compatibility and sensitivity of the art to its natural surroundings and particularly critical areas
- The compatibility and sensitivity of the art to abutting neighborhoods, business districts and schools
- That the art not impede transportation flow – bike and pedestrian- on the CKC, or connections from the CKC
- That artists or event producers be charged with making sure the art remains in good condition while on display, (is not a safety hazard or the target for graffiti) and that it is removed if the latter conditions ensue
- That artists and event producers abide by the city events policies and also business licensing and insurance requirements
- The artists and or event producers will be required to leave the location or locations of the art as they found them unless exceptions are made

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.

CITY OF KIRKLAND 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

The Kirkland Cultural Arts Commission (KCAC) is responsible for helping the City Council implement the Public Art Vision in Kirkland. The KCAC is 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 KCAC promotes strategic arts planning and advises the City Council on art acquisition in Kirkland.

KCAC Mission

The KCAC curates and advises the City Council on public art acquisitions and loans, and it reviews and recommends projects under the City's "1% for Art" program, subject to the separate City of Kirkland's 1% for Public Art Guidelines.

KCAC Goals:

- Curate a diverse public art collection representing various cultural and ethnic communities and perspectives
- 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
- Regularly re-evaluate the Commission's policies, practices, and programs to ensure there are no structural barriers to artists from historically marginalized communities.

RACIAL EQUITY STATEMENT

Background

The Kirkland City Council acted in August of 2020 in response to community calls for the City to demonstrate that Black lives matter and help end structural racism. The City committed to several actions intended to improve the safety and respect of Black people and to examine and dismantle structural racism in Kirkland. Among other actions, the City was to develop accountability strategies for evaluating whether public art, public symbols, special events and City programming in Kirkland are welcoming to all community members, as well as expanding the diversity of public art, symbols, events and programming to be more inclusive.

Racial Equity Statement

The KCAC, in alignment with the City Council, seeks to dismantle structural racism in Kirkland. The KCAC affirms that all people, their cultures, and their art contribute to the meaning and understanding of our shared humanity and should be honored and celebrated. The KCAC strives to proactively solicit and curate art that reflects the diversity of the Kirkland community, encourages a sense of belonging for all people, and supports the expression of historically marginalized communities. The art created by Black, Indigenous, and People of Color performs a unique role in our community and helps provide inspiration to resolve societal inequity and injustice. This important work of bringing equity to art is pivotal to the KCAC's efforts to confront injustices of the past and reveal inequities of the present in order to build a more diverse, inclusive collection of public art, now and in the future.

A. PUBLIC ART ACQUISITION AND COMMISSIONS GUIDELINES

Proposed public art acquisitions and commissions shall be reviewed by the KCAC with recommendations to the City Council as appropriate. A recommendation will be requested from affected boards, commissions, organizations, and associations when appropriate.

Proposed public art acquisitions and commissions will be evaluated on the following:

1. The quality and aesthetic merit of the artwork.
2. Context within the City collection should be considered with the following criteria:
 - a. Does the artwork add diversity, convey artistic expression rooted and reflective of historically marginalized communities by artists from those communities, or enhance existing collections?
 - b. How does the piece engage the public?
 - c. Are the materials appropriate?
 - d. Is the piece susceptible to vandalism or graffiti?
3. Coordination with the Park Board or other affected commissions and departments concerning siting, costs of installation, and maintenance of artwork.
 - 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 artwork.
4. Donor conditions, if applicable.
5. 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 may be determined by a public art jury made up of surrounding neighbors, businesses, or associations (e.g., business or neighborhood) impacted by an artwork location.
- Priority will be given to artists based within the greater Puget Sound region.

- 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 artwork 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.
- The KCAC may form a diversity, equity, and inclusion subcommittee to help guide its process to examine and seek to expand the diversity of the City's public art.

B. APPROVAL PROCESS FOR ART ACQUISITION AND COMMISSION

Recommendation to Council

The KCAC will be asked to recommend to Council any acquisitions or commissions that are:

- 1) permanent art (≥ 2 years), regardless of the purchase price;
- 2) temporary art (< 2 years) the City will be spending \$7,500 or more to purchase;
- 3) ephemeral art (< 60 days) the City will be spending \$7,500 or more to purchase;
- 4) acquired through the 1% for Art program; OR
- 5) a gift or loan of artwork valued at \$7,500 or more.

Nothing in these guidelines limits the City Manager's authority to bring art proposals to the Council even if the KCAC opposes or does not provide a recommendation on the acquisition.

Recommendation to the City Manager

The KCAC may be asked to recommend to the City Manager any acquisitions or commissions that are:

- 1) ephemeral art (< 60 days) the City will be spending under \$7,500 to purchase;
- 2) temporary art (< 2 years) the City will be spending under \$7,500 to purchase; OR
- 3) a gift or loan of artwork valued under \$7,500.

Separately from acquisitions, subject to the approval of the City Manager, the KCAC will have the authority to direct expenditures for cultural or arts-related programs or events using 4Culture art grants funding.

The City Manager may, from time to time, rely on the KCAC for advice regarding other cultural or arts-related programs or events.

C. PREFERRED LOCATIONS

Objectives

The intent of this section is to provide clear guidelines concerning KCAC involvement for locations on public property - such as in parks, in the right-of-way, or along the Cross Kirkland Corridor - that are preferred for site selection of public art. The City currently has several locations/pedestals located in the downtown business district provided for the purpose of displaying temporary and ephemeral public art. Other venues throughout the community, in public facilities and neighborhoods, are encouraged.

Guidelines

- The KCAC will work with relevant City staff in the Parks and Community Services, Public Works, and other departments to develop a list of preferred locations
- Proposed use of the existing locations for artwork in public parks or rights-of-way shall be reviewed by the KCAC in coordination with impacted departments for installation assistance (if required) and any permit requirements.

Proposed use of the existing pedestals on Park Lane or artwork in public parks or rights-of-way shall be reviewed by the KCAC in coordination with Parks and Community Services, Planning, Public Works, and Transportation for installation assistance (if required), any permit requirements, and possible right-of-way clearance review.

PARK LANE OUTDOOR ART GALLERY - An outdoor art gallery located on Park Lane intended to display art to the public.

Park Lane Outdoor Art Gallery Guidelines:

- In reviewing the art concept, in addition to the requirements in section A of these guidelines, the KCAC and other parties involved in the decision shall consider:
- Generally, 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 City may establish an agreement with the artist for the sale of selected art to the public.
- The KCAC may accept sculpture display applications on a rolling basis and curate the selection of art based on recommendations by the Kirkland Cultural Arts Commission's Park Lane Outdoor Gallery Committee.
- Generally, art is displayed as temporary art for up to two years unless it is sold, at which time the display term may be shortened, and the art replaced with another selected piece.

CROSS KIRKLAND CORRIDOR - a civic open space and active transportation connection. Art on the CKC has been envisioned as civic expression of the City and its residents, and as a catalyst for the corridor becoming a sought-after destination for visitors to the City. Reference the CKC Masterplan and CKC Art Integration Plan for further detail.

Cross Kirkland Corridor Guidelines:

- Stakeholders, representatives from the KCAC, representatives from the CKC Steering Committee, the Special Events Coordinator and others as deemed appropriate may be included in conceptual review of the art. Approval of the art may require recommendations from these stakeholders and any other affected City departments.
 - In reviewing the art concept, in addition to the requirements in section A of these guidelines, the KCAC and other parties involved in the decision shall consider:
 - The compatibility of the concept to the proposed character zone of the Cross Kirkland Corridor as specified in the Cross Kirkland Corridor Art Integration Plan.
 - The compatibility and sensitivity of the art to its natural surroundings and particularly critical areas.
 - The compatibility and sensitivity of the art to abutting neighborhoods, business districts and schools.
 - The art must not impede transportation flow – bike and pedestrian - on the CKC, or connections from the CKC.
 - That artists or event producers be charged with making sure the art remains in good condition while on display, (is not a safety hazard or the target for graffiti, and that it is removed if the latter conditions ensue).
 - That artists and event producers abide by the city events policies and business licensing and insurance requirements.
 - The artists and/or event producers will be required to leave the location or locations of the art as they found them unless exceptions are made.

PUBLIC PARKS

Public Park Guidelines:

- Stakeholders, representatives from the KCAC, representatives from the Park Board, the Special Events Coordinator, the Parks Operation Manager and others as deemed appropriate may be included in the conceptual review of the art.
- The art must be evaluated by the Parks Operation Manager for ongoing maintenance requirements and susceptibility to vandalism and graffiti.

- Whenever possible, at least one onsite meeting shall be convened, including the Parks Operation Manager, representative(s) from the Park Board, representative(s) from the KCAC, and other stakeholders as deemed appropriate, to evaluate and discuss potential locations for the art.
- In reviewing the art concept, in addition to the requirements in section A of these guidelines, the KCAC and other parties involved in the decision shall consider:
 - Interactivity of the art, allowing people to touch it, climb on it, look through it, and even use it.
 - The compatibility of the concept and its ability to integrate into the proposed park location.
 - The compatibility and sensitivity of the art to its natural surroundings and particularly critical areas.
 - The compatibility and sensitivity of the art to different facets of the proposed park, including beaches, docks, off-leash dog areas, playgrounds, athletic fields, picnic areas, public spaces, and walking/jogging/hiking trails.
 - The art must not impede the ability of parkgoers to fully utilize the park.

D. ART EXHIBIT DURATION

Objectives

To provide clear definitions and guidelines for ephemeral, temporary, and permanent art installations.

Ephemeral Art

Ephemeral Art is built to last and/or be displayed only a short period of time, up to 60 days. These artworks are often left to degrade in natural environmental conditions. Examples of such art include art made out of natural material and water-soluble paintings. Ephemeral Art can also be art performances or art installations that are created and then dismantled after their exhibit.

Ephemeral Art Guidelines

- Ephemeral art, visual or performance art or some other art expression will last for no more than 60 days, and in this way is distinguished from permanent art and other temporary art.
- Art Display Agreements are required.
- Ephemeral art installments require a plan for demobilization and a commitment by the artist to leave the site as it was prior to the art installment or better.
- Ephemeral art exhibits that are performances shall be conducted with respect to site surroundings with deliberate consideration given to noise levels and proximity to neighbors.

Temporary Art

Temporary Art allows for the exhibition of artwork in cooperation with art galleries and other organizations and to showcase artists, promote awareness and foster education regarding public art in the community.

Temporary Art Guidelines

- Art Display Agreements are required.
- If appropriate, partnerships with other arts organizations, agencies, and the business community are encouraged.
- Length of term on loans is clearly established in artwork loan agreements between 60 days and two years. Loan term shall be reviewed and considered by the KCAC on an individual basis.

Permanent Art

Permanent Art is planned, positioned and constructed for longevity lasting beyond 2 years. Art curated as the result of the 1% for Art program typically manifests as fixed, permanent art installations at designated project sites.

Permanent Art Guidelines

- All permanent, public art curated through the 1% for Art process must adhere to the 1% for Public Art Guidelines and follow the established process for 1% for Art projects.
- If appropriate, partnerships with other arts organizations, agencies, and the business community are encouraged.
- Art Display Agreements may be required.

E. MEMORIAL PUBLIC ART CONSIDERATIONS

Objectives

The intent of this section is to provide clear guidelines concerning KCAC involvement for memorial public art considerations.

Guidelines

- 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.
- The KCAC will work with the donor and relevant City departments to recommend an appropriate site for the work.
- 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.

- 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.

In addition to the requirements in section A of these guidelines, proposed memorial public art will be evaluated on the following criteria:

- A. Cohesiveness of the artwork with the overall character of public art already on display throughout the city.
- B. The timeless qualities of the artwork, 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.
- C. The artwork'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 artwork.
- F. The proposed location of the artwork. 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 artwork.

F. DEACCESSION OF ARTWORK

Objectives

The intent of this section is to provide clear guidelines concerning KCAC involvement in the deaccession of artwork.

Guidelines

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

- Deaccessioning of artwork may be considered for one or more of the following reasons:

- A. The condition or security of the artwork cannot be reasonably guaranteed in its present location.
- B. The artwork presents a public safety risk.
- C. The artwork 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 artwork's relationship to the site.
- E. The artwork requires excessive maintenance or has failures of design or workmanship.
- F. The artwork no longer meets the mission and goals of the Public Art Policy.

G. RELOCATION OF ARTWORK

Objectives

The intent of this section is to provide clear guidelines concerning KCAC involvement in the relocation of City owned artwork.

Guidelines

The condition or security of the artwork cannot be reasonably guaranteed in its present location.

- A. The artwork presents a public safety risk.
- B. Significant changes in the use, character or actual design of the site require a re-evaluation of the artwork's relationship to the site.
- C. A more suitable location for the artwork has been proposed.

Procedures for possible deaccessioning or relocation of artwork shall be initiated by a majority vote of the KCAC 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 artwork, which may include sale, trade, return to the artist, or gift.
- C. Analysis of reasons for deaccessioning and a deferral to City Council for the final decision. The KCAC may seek additional information regarding the artwork from the public, the artist, art galleries, curators, appraisers, or other professionals prior to making a recommendation.

H. PUBLIC ART JURIES FOR ACQUIRED OR COMMISSIONED WORKS OF ART

Objectives

The intent of this section is to provide clear guidelines concerning KCAC involvement in the selectin of art juries for acquired or commissioned works of art.

Guidelines

- The KCAC may convene a jury to review individual public acquisitions or commissions.
- 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 Councilmembers, or their partners or families.
- A jury shall not ordinarily be comprised of more than 50 percent membership from the KCAC.
- 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

I. 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.

Guidelines

- After City Council receives the recommendation from the KCAC 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 approve the deaccession of public art.

CITY OF KIRKLAND 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 [\(KCAC\)](#) is responsible for helping the City Council implement the Public Art Vision in Kirkland. The ~~Cultural Arts Commission~~[KCAC](#) is 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~~[KCAC](#) promotes strategic arts planning and advises the City Council on art acquisition in Kirkland.

KCAC Mission

The ~~Cultural Arts Commission~~[KCAC](#) curates and advises the City Council on public art acquisitions and loans, and ~~it~~ reviews and recommends projects under the City's "~~one percent~~[1% Percent](#) for ~~the arts~~[Art](#)" program, subject to the separate City of Kirkland's ~~1% percent~~ for Public Art Guidelines.

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KCAC Goals:

- Curate ~~the growth of~~ a diverse public art collection representing various cultural and ethnic communities and perspectives
- 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
- Regularly re-evaluate the Commission's policies, practices, and programs to ensure there are no structural barriers to artists from historically marginalized communities.

RACIAL EQUITY STATEMENT

Background

The Kirkland City Council acted in August of 2020 in response to community calls for the City to demonstrate that Black lives matter and help end structural racism. The City committed to several actions intended to improve the safety and respect of Black people and to examine and dismantle structural racism in Kirkland. Among other actions, the City was to develop accountability strategies for evaluating whether public art, public symbols, special events and City programming in Kirkland are

welcoming to all community members, as well as expanding the diversity of public art, symbols, events and programming to be more inclusive.

Racial Equity Statement

The KCAC, in alignment with the City Council, seeks to dismantle structural racism in Kirkland. The KCAC affirms that all people, their cultures, and their art contribute to the meaning and understanding of our shared humanity and should be honored and celebrated. The KCAC strives to proactively solicit and curate art that reflects the diversity of the Kirkland community, encourages a sense of belonging for all people, and supports the expression of historically marginalized communities. The art created by Black, Indigenous, and People of Color performs a unique role in our community and helps provide inspiration to resolve societal inequity and injustice. This important work of bringing equity to art is pivotal to the KCAC's efforts to confront injustices of the past and reveal inequities of the present in order to build a more diverse, inclusive collection of public art, now and in the future.

A. PUBLIC ART ACQUISITION AND COMMISSIONS GUIDELINES

Proposed public art acquisitions and commissions shall be reviewed by the Cultural Arts Commission~~KCAC~~ 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, as appropriate.~~
A recommendation will be requested from affected boards, commissions, organizations, and associations when appropriate.

Proposed public art acquisitions and commissions will be evaluated on the following:

1. The quality and aesthetic merit of the ~~art work~~artwork.
2. Context within the ~~city~~City collection should be considered with the following criteria:
 - ~~a. Does art work enhance the existing collection or add diversity?~~
 - a. Does the artwork add diversity, convey artistic expression rooted and reflective of historically marginalized communities by artists from those communities, or enhance existing collections?
 - b. How does the piece engage the public?
 - c. Are the materials appropriate?
 - d. Is the piece susceptible to vandalism or graffiti?
3. Coordination with the Park Board or other affected commissions and departments concerning siting, costs of installation, and maintenance of ~~art work~~artwork.
 - 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~~workartwork.
4. Donor conditions, if applicable.
5. 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~~may 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~~artwork location.
- Priority will be given to artists based within the greater Puget Sound region.
- 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~~artwork 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 policy⁷ and declined if the conditions or restrictions are not approved.

TEMPORARY ART EXHIBITS

- The KCAC may form a diversity, equity, and inclusion subcommittee to help guide its process to examine and seek to expand the diversity of the City's public art.

B. APPROVAL PROCESS FOR ART ACQUISITION AND COMMISSION

Recommendation to Council

The KCAC will be asked to recommend to Council any acquisitions or commissions that are:

- 1) permanent art (≥2 years), regardless of the purchase price;
- 2) temporary art (<2 years) the City will be spending ~~over~~ \$7,500 or more to purchase;
- 3) ephemeral art (<60 days) the City will be spending ~~over~~ \$7,500 or more to purchase;
- 4) acquired through the ~~One Percent~~ 1% for the Arts program; OR
- 5) a gift or loan of artwork valued at \$7,500 or more.

Nothing in these guidelines limits the City Manager's authority to bring art proposals to the Council even if the KCAC opposes or does not provide a recommendation on the acquisition.

Recommendation to the City Manager

The KCAC may be asked to recommend to the City Manager any acquisitions or commissions that are:

- 1) ephemeral art (<60 days) the City will be spending ~~under~~ \$7,500 ~~or less~~ to purchase;

- 2) temporary art (<2 years) the City will be spending under \$7,500 or less to purchase; OR
- 3) a gift or loan of artwork valued under \$7,500.

Separately from acquisitions, subject to the approval of the City Manager, the KCAC will have the authority to direct expenditures for cultural or arts-related programs or events using 4Culture art grants funding.

The City Manager may, from time to time, rely on the KCAC for advice regarding other cultural or arts-related programs or events.

C. PREFERRED LOCATIONS

Objectives

To-The intent of this section is to provide procedures and opportunities clear guidelines concerning KCAC involvement 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 locations on public art property - such as in parks, in the community, right-of-way, or along the Cross Kirkland Corridor - that are preferred for site selection of public art. The City currently has several locations and /pedestals located in the downtown that provide business district provided for the display purpose of displaying temporary and ephemeral public art. Other venues throughout the community, in public facilities and neighborhoods will be, are encouraged.

Guidelines

- The KCAC will work with relevant City staff in the Parks and Community Services, Public Works, and other departments to develop a list of preferred locations
- Proposed use of the existing pedestal locations for art work artwork in public parks or rights-of-way shall be reviewed by the Cultural Arts Commission KCAC in coordination with Parks and Community Services impacted departments 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.

Proposed use of the existing pedestals on Park Lane or artwork in public parks or rights-of-way shall be reviewed by the KCAC in coordination with Parks and Community Services, Planning, Public Works, and Transportation for installation assistance (if required), any permit requirements, and possible right-of-way clearance review.

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~~Park Lane Outdoor Art Gallery Guidelines:

- In reviewing the art concept, in addition to the requirements in section A of these guidelines, the KCAC and other parties involved in the decision shall consider:
- Generally, 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 City may establish an agreement with the artist for the sale of selected art to the public.
- The ~~Cultural Arts Commission will~~KCAC may accept sculpture display applications on a rolling basis and curate the selection of art ~~based on recommendations by the Kirkland Cultural Arts Commission's Park Lane Outdoor Gallery Committee.~~
- ~~Art will be~~Generally, art is displayed as temporary art for ~~12-18 months~~up to two years 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.~~

~~CROSS KIRKLAND CORRIDOR EPHEMERAL ART~~

~~The~~ **CROSS KIRKLAND CORRIDOR** ~~(CKC) is~~ a civic open space and active transportation connection. Art on the CKC has been envisioned as ~~one more~~ civic expression of the ~~city~~City and its residents, and as a catalyst for the corridor becoming a sought-after destination for visitors to the ~~city~~City. Reference the CKC Masterplan and CKC Art Integration Plan for further detail.

~~One type of art that is encouraged on the CKC is~~ **Ephemeral Art**, ~~art which is built to last only a short period of time. These artworks are often left to degrade in natural environmental conditions. Examples of such art include: art made out of natural material, water soluble painting. Ephemeral Art can also be art performances or art installations that are created and then dismantled after their exhibit.~~

- ~~Ephemeral art, visual or performance art or some other art expression, shall be allowed on the corridor for no more than 60 days, and in this way distinguished from permanent art and other temporary art~~

Cross Kirkland Corridor Guidelines:

- ~~Stakeholders, representatives from the KCAC, representatives from the CKC Steering Committee, Office of the Special Events Coordinator and others as deemed appropriate shall~~may be included in conceptual review of the art
- Approval of the art will~~may~~ require recommendations from these stakeholders and any other affected City departments ~~with final approval vested in the KCAC.~~

- In reviewing the art concept, in addition to the requirements in section A of these guidelines, the KCAC and other parties ~~to~~involved in the decision shall ~~take into account;~~ consider:
- The compatibility of the concept ~~into~~ the proposed character zone of the Cross Kirkland Corridor ~~and as specified in~~ the Cross Kirkland Corridor Art Integration Plan.
- The compatibility and sensitivity of the art to its natural surroundings and particularly critical areas.
- The compatibility and sensitivity of the art to abutting neighborhoods, business districts and schools.
- ~~That the~~The art must not impede transportation flow – bike and pedestrian - on the CKC, or connections from the CKC.
- That artists or event producers be charged with making sure the art remains in good condition while on display, (is not a safety hazard or the target for graffiti), and that it is removed if the latter conditions ensue).
- That artists and event producers abide by the city events policies and ~~also~~ business licensing and insurance requirements.
- The artists and/or event producers will be required to leave the location or locations of the art as they found them unless exceptions are made.

PUBLIC PARKS

Public Park Guidelines:

- Stakeholders, representatives from the KCAC, representatives from the Park Board, the Special Events Coordinator, the Parks Operation Manager and others as deemed appropriate may be included in the conceptual review of the art.
- The art must be evaluated by the Parks Operation Manager for ongoing maintenance requirements and susceptibility to vandalism and graffiti.
- Whenever possible, at least one onsite meeting shall be convened, including the Parks Operation Manager, representative(s) from the Park Board, representative(s) from the KCAC, and other stakeholders as deemed appropriate, to evaluate and discuss potential locations for the art.
- In reviewing the art concept, in addition to the requirements in section A of these guidelines, the KCAC and other parties involved in the decision shall consider:

- Interactivity of the art, allowing people to touch it, climb on it, look through it, and even use it.
- The compatibility of the concept and its ability to integrate into the proposed park location.
- The compatibility and sensitivity of the art to its natural surroundings and particularly critical areas.
- The compatibility and sensitivity of the art to different facets of the proposed park, including beaches, docks, off-leash dog areas, playgrounds, athletic fields, picnic areas, public spaces, and walking/jogging/hiking trails.
- The art must not impede the ability of parkgoers to fully utilize the park.

D. ART EXHIBIT DURATION

Objectives

To provide clear definitions and guidelines for ephemeral, temporary, and permanent art installations.

Ephemeral Art

Ephemeral Art is built to last and/or be displayed only a short period of time, up to 60 days. These artworks are often left to degrade in natural environmental conditions. Examples of such art include art made out of natural material and water-soluble paintings. Ephemeral Art can also be art performances or art installations that are created and then dismantled after their exhibit.

ADDITIONAL Ephemeral Art Guidelines

- Ephemeral art, visual or performance art or some other art expression will last for no more than 60 days, and in this way is distinguished from permanent art and other temporary art.
- Art Display Agreements are required.
- Ephemeral art installments require a plan for demobilization and a commitment by the artist to leave the site as it was prior to the art installment or better.
- Ephemeral art exhibits that are performances shall be conducted with respect to site surroundings with deliberate consideration given to noise levels and proximity to neighbors.

Temporary Art

Temporary Art allows for the exhibition of artwork in cooperation with art galleries and other organizations and to showcase artists, promote awareness and foster education regarding public art in the community.

Temporary Art Guidelines

- Art Display Agreements are required.

- If appropriate, partnerships with other arts organizations, agencies, and the business community are encouraged.
- Length of term on loans is clearly established in artwork loan agreements between 60 days and two years. Loan term shall be reviewed and considered by the KCAC on an individual basis.

Permanent Art

Permanent Art is planned, positioned and constructed for longevity lasting beyond 2 years. Art curated as the result of the 1% ~~Percent~~ for Art program typically manifests as fixed, permanent art installations at designated project sites.

Permanent Art Guidelines

- All permanent, public art curated through the 1% ~~Percent~~ for Art process must adhere to the 1% ~~Percent~~ for Public Art Guidelines and follow the established process for 1% ~~Percent~~ for Art projects.
- If appropriate, partnerships with other arts organizations, agencies, and the business community are encouraged.
- Art Display Agreements may be required.

B.E. MEMORIAL PUBLIC ART CONSIDERATIONS

Objectives

The intent of this section is to provide clear guidelines concerning KCAC involvement for memorial public art considerations.

Guidelines

- 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~~KCAC will work with the donor and relevant City ~~Departments~~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~~In addition to the requirements in section A of these guidelines, proposed memorial public art will be evaluated on the following criteria:

- ~~The fit~~Cohesiveness of the ~~art work~~artwork with the overall character of public art already on display throughout the city.
- The timeless qualities of the ~~art work~~artwork, 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.~~
- The ~~art work's~~artwork's success in expressing the spirit of the person(s) or event to be commemorated.
- 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.
- The artistic merit of the ~~art work~~artwork.
- The proposed location of the ~~art work~~artwork. 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.
- The fit in terms of the size, scale, material, form and style for the area in which it is to be placed.
- Condition, durability, installation, and maintenance requirements of the ~~art work~~artwork.

G.F. DEACCESSION OF ART WORKARTWORK

Objectives

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

The intent of this section is to provide clear guidelines concerning KCAC involvement in the deaccession of artwork.

Guidelines

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

- Deaccessioning of ~~art work~~artwork may be considered for one or more of the following reasons:
 - A. The condition or security of the ~~art work~~artwork cannot be reasonably guaranteed in its present location.
 - B. The ~~art work~~artwork presents a public safety risk.
 - C. The ~~art work~~artwork 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~~artwork's relationship to the site.
 - E. The ~~art work~~artwork requires excessive maintenance or has failures of design or workmanship.
 - F. The ~~art work~~artwork no longer meets the mission and goals of the Public Art Policy.

G. RELOCATION OF ARTWORK

Objectives

~~To~~The intent of this section is to provide ~~procedures for clear guidelines concerning KCAC involvement in~~ the relocation of City owned ~~art work~~artwork.

Guidelines

The condition or security of the ~~art work~~artwork cannot be reasonably guaranteed in its present location.

- A. The ~~art work~~artwork presents a public safety risk.
- B. Significant changes in the use, character or actual design of the site require a re-evaluation of the ~~art work's~~artwork's relationship to the site.
- C. A more suitable location for the artwork has been proposed.

Procedures for possible deaccessioning or relocation of ~~art work~~artwork shall be initiated by a majority vote of the ~~Cultural Arts Commission~~KCAC 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~~artwork, which may include sale, trade, return to the artist, or gift.
- C. Analysis of reasons for deaccessioning and ~~recommendations~~a deferral to City Council for the final decision. The ~~Cultural Arts Commission~~KCAC may seek additional information

regarding the ~~art work~~artwork from the public, the artist, art galleries, curators, appraisers, or other professionals prior to making a recommendation.

H. PUBLIC ART JURIES FOR ACQUIRED OR COMMISSIONED WORKS OF ART

Objectives

The ~~Cultural Arts Commission~~intent of this section is to provide clear guidelines concerning KCAC involvement in the selectin of art juries for acquired or commissioned works of art.

Guidelines

- The KCAC 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. or commissions.~~
- 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~~Councilmembers, or their partners or families.
- A jury shall not ordinarily be comprised of more than 50% percent membership from the ~~Cultural Arts Commission~~KCAC.
- 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

I. 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.

Guidelines

- After City Council receives the recommendation from the ~~Cultural Arts Commission~~KCAC 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 approve the deaccession of public art.

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