

## 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 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 Percent for Art" program.

### 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 took action 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 GUIDELINES

Proposed public art acquisitions 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 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 that are not part of a pre-authorized location will 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 racial equity 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**

For the purposes of these guidelines, public art can be classified according to the following categories:

- Cost
  - Less than \$7,500
  - Greater than \$7,500
- Duration of Display
  - Ephemeral Art – art intended to be displayed **up to 60 days**
  - Temporary Art – art intended to be displayed **from 60 days to two years**
  - Permanent – art intended to be displayed **for more than two years**
- Location
  - Pre-Authorized Location
  - New Location
    - Park - For a proposed public art acquisition to be sited in a park, a recommendation from the Kirkland Park Board will also be requested.

### **Approval Authority**

To streamline the art acquisition process, the KCAC has the authority to approve ephemeral and temporary art that is sited in a pre-authorized location and is less than \$7,500. For all other types of art acquisition, the KCAC will make a recommendation to the City Council for review and approval. The following table articulates the approval authority for different categories of art:

ART CATEGORIES	PRE-AUTHORIZED LOCATION	NEW LOCATION
Less than \$7,500; Ephemeral	KCAC	City Council
Less than \$7,500; Temporary	KCAC	City Council
Less than \$7,500; Permanent	City Council	City Council
Greater than \$7,500	City Council	City Council

## C. PRE-AUTHORIZED LOCATIONS

### Objectives

To provide clear guidelines for locations on public property - such as in parks, in the right-of-way, or along the Cross Kirkland Corridor - that are pre-authorized 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.

### General 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 Pre-Authorized 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 Parks and Community Services for installation assistance (if required) and Public Works for 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 for installation assistance (if required), Public Works for any permit requirements, and Transportation for 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:

- 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, Office of 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 with final approval vested in the KCAC. The CKC Art Integration Plan requirement that: "The City Council makes final decisions about all art on the CKC" (page 6: <https://www.kirklandwa.gov/Assets/CMO/CMO+PDFs/Art+Integration+Plan+for+the+CKC.pdf>) shall be limited to the terms of section B of these 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:
  - 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, Office of 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:
  - 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. 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 undergoes a robust process for inclusion into the permanent City collection, including feasibility, ongoing maintenance costs and susceptibility to theft, vandalism and graffiti. All Permanent Art shall be reviewed by the KCAC and relevant stakeholders. The KCAC recommends Permanent Art to the City Council. All Permanent Art requires City Council approval.

### **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.
- Donated permanent art will be carefully considered based on above Public Art Acquisition Guidelines.
- 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**

- 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 KCAC and recommended to the City Council. The KCAC 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 and an assessment by the Parks Operation Manager are also required.
- 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. Examples include community parks, landscaped gardens and plazas, sculpture and artworks, plaques about history or the environment, poetry, fountains, park benches, and site furnishings.
- 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**

To provide procedures for the withdrawal of City-owned permanent artwork from public display.

### **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**

To provide procedures for the relocation of City owned artwork.

- 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. Significant changes in the use, character or actual design of the site require a re-evaluation of the artwork's relationship to the site.
- D. 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 COMMISSIONED WORKS OF ART**

- The KCAC may convene a jury to review individual public art memorials or acquisitions.
- 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.

- 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.