

CITY OF KIRKLAND PUBLIC ART POLICY GUIDELINES

Public Art Vision

Kirkland maintains a diverse public art collection that values and honors artistic endeavor and the creative process, recognizes the role of public art in a welcoming and inclusive community, 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
- Demonstrate deep appreciation for artists and artistic expression, endeavor and process through its acquisitions, commissions and collection
- Facilitate exposure to public art
- Encourage community dialogue through public art
- Use public art to reflect the characteristics and values 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.

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 – with a focus on intersectional voices - 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 of the diversity of our community, including racial and ethnic diversity, diversity of sexual identity and orientation, gender diversity, and diversity of age and ability.

Racial Equity Statement

The KCAC, in alignment with the City Council, seeks to dismantle structural racism and inequities 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 stakeholder boards, commissions, organizations and associations when appropriate.

To ensure the equitable and intentional acquisition of public art in the City with a limited landscape of available public space, the presumptive and preferred acquisition method for public art is the commission of art for site specific locations, in keeping with current criteria and priorities for public art in the City, and the commensurate compensation of artists for their work.

Where donations of public art are proposed, the City prefers to receive unrestricted monetary donations to support the commission of art rather than donations of physical art in order to ensure alignment with current criteria and priorities for public art in the City, and to preserve stewardship over the appropriate use of public space.

Criteria

Proposed public art will be evaluated on the following criteria:

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

Donations and Loans

As mentioned above, the presumptive and preferred acquisition method for public art is the *commission* of art for site specific locations, and *not donations*. Where donations of public art are proposed, including proposed donated memorial art, *the City prefers to receive unrestricted monetary donations* to support the commission of art rather than donations of physical art in order to ensure alignment with current criteria and priorities for public art in the City, and to preserve stewardship over the appropriate use of public space. Unrestricted monetary donations to help fund public art acquisitions will be accepted at any time.

In rare instances where the City considers accepting donated art or restricted monetary donations, the following guidelines apply:

- Donated or loaned art, including memorial art, may be declined at the discretion of the City consistent with the criteria in the public art policy guidelines.
- Temporary and ephemeral works are preferred in the case of proposed donated or loaned art.
- Donor conditions will be evaluated at the discretion of the KCAC and/or the City against the criteria set forth in these guidelines and may be accommodated to the extent deemed appropriate.
- Donated or loaned artwork will include identifying plaques if accepted by the City.
- All accepted donated works become part of the City art collection and, as such, may be relocated and/or de-accessed.
- Monetary or other donations with conditions or restrictions such as use for acquisition of a specific artwork or theme will be reviewed and may be declined if deemed to be out of keeping with the criteria and priorities for public art in the City.
- 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

Other Considerations

- Whenever appropriate, siting decisions may be determined in consultation with surrounding stakeholders, such as 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.
- 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, seek advice from the KCAC 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. Geographically diverse locations for public art in the Kirkland community in public facilities and in neighborhoods, are encouraged.

Guidelines

- The KCAC will work with relevant City staff in the Parks and Community Services, Public Works, and other relevant 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, reflective of the City's diversity and history, and as a visitor destination that embodies connectivity and community. 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 art concepts, 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.
- In the case of temporary or ephemeral art, that artists or event producers be charged with ensuring the art remains in good condition while on display, is not a safety hazard or the target for graffiti, and that it is removed or replaced 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 Parks 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.
- An emphasis on the geographic diversity of public art integration throughout the City.

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. 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 aligns with the criteria and priorities for public art in the City and 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

Relocation of City owned artwork may be considered for 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. 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 ACQUIRED OR COMMISSIONED WORKS OF ART

Objectives

The intent of this section is to provide guidelines concerning KCAC involvement in the selection of art juries for acquired or commissioned works of art. In certain, unique situations, the KCAC may convene a jury to advise on art selection in order to provide a particular perspective, special technical expertise or other input deemed necessary.

Guidelines

- The KCAC may convene a jury to review public art acquisitions or commissions.
- Criteria for jury selection shall be determined by the KCAC in accordance with the need and content of the associated Call for Artists, Request for Proposals or Request for Qualifications.
- Jury size may range from 5 to 7 members. 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.
- All juries shall include at least one artist
- All juries shall include at least one KCAC member
- A jury shall not ordinarily be comprised of more than 50 percent membership from the KCAC
- An appointed jury shall not include City Councilmembers, or their partners or families.

Proposals for public art 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

The Kirkland Cultural Arts Commission invites members of the public to address the Commission during the public comment period at their meetings. To encourage additional community involvement in art and cultural activities, the City Council may also seek community input on public art decisions.

Guidelines

- The Kirkland Cultural Arts Commission will hold a public comment period during each of their meetings, where members of the public are invited to address the Commission on matters related to art and cultural activities.
- 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.