

## RESOLUTION R-4755

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

WHEREAS, the Kirkland Cultural Council was formed in 2002 pursuant to Resolution R-4353; and

WHEREAS, the City would like to like to make some changes to the manner and process by which the Cultural Council is operated; and

WHEREAS, this Resolution replaces and supersedes Resolution R-4353;

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

Section 1. Creation and Existence of the Cultural Council. The Kirkland Cultural Council came into existence on November 1, 2002. The Kirkland City Council hereby reiterates its approval of the Cultural Council as a local arts agency and requests that King County recognize the Cultural Council as a local arts agency located in Kirkland, Washington.

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

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

The table printed in Section 4 below sets forth certain factors applicable to the appointment of members. The special qualification "Artist" means a person who has a demonstrated commitment as an artist. The special qualification "Cultural Heritage" means a person who has a demonstrated commitment to cultural heritage matters.

The special qualification "Youth" means a person who meets the requirements of Kirkland Municipal Code 3.08.110(b).

The terms of the current members holding Cultural Council Positions 2, 4 and 5 are hereby extended through March 31, 2011. The terms for open Cultural Council Positions 1 and 3 shall begin upon appointment by the Kirkland City Council and shall expire on March 31, 2013. Except for the Youth Position, in all other cases, a member's term on the Cultural Council 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. In filling positions 6 through 15, the Cultural Council, with the assistance of City staff, shall stagger the terms of those positions in order to minimize high turnover rates.

A member may be reappointed to the Cultural Council; provided that, no person shall serve as a member for more than two full terms. Vacancies shall be filled for the remainder of the unexpired term of the vacant position. A member will be expected to attend no less than 80% of all meetings for which there is no prearranged absence. In addition, when a member misses three or more consecutive meetings not excused by a majority vote of the Cultural Council, the Cultural Council shall consider removal of that member. In the case of a member who was appointed by the City Council, the Cultural Council shall report to City Council about a member's pattern of absence, 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.

Section 4. Table

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

NOTES:

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

Section 5. Officers. Annually, the Cultural Council shall elect from the members of the Council a Chair and a Vice Chair. The Cultural Council will pick a Chair for a term of one year with the possibility of selection for one additional year. The term for Vice Chair shall be one year, and the Vice Chair will not automatically ascend to become the Chair. There will be no term limit on serving as Vice Chair. It shall be the duty of the Chair to preside at all meetings of the Cultural Council. In the Chair's absence, the Vice Chair shall preside. The Chair shall propose an agenda for meetings, and shall vote on matters being voted on by the Cultural Council. The Chair shall select a member to record decisions of the Cultural Council that establish policies or recommendations.

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

Section 7. Liaisons. The Cultural Council may designate "Cultural Council Liaisons". Liaisons are intended to be resources for technical advice or expertise or to provide connections to other organizations. Liaisons will be invited to all Cultural Council meetings, but will not be required to attend and will not vote. The Cultural Council may choose to designate any number of Liaisons. The Cultural Council shall, at least once per calendar year, review and make current the list of Cultural Council Liaisons. Typically, one City Councilmember will be designated as a Liaison.

Section 8. Procedure. All business of the Cultural Council shall be guided by "Roberts Rules of Order". The Cultural Council may adopt a written policy of Cultural Council practices; so long as such practices are not inconsistent with this Resolution or other direction of City Council.

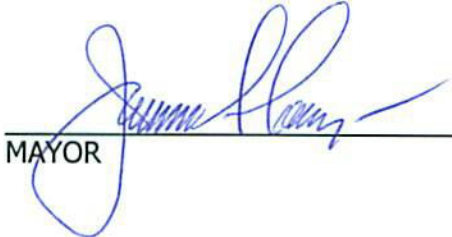
Section 9. Conversion to a Nonprofit Entity. The City Council intends that the members of the Cultural Council will lead its transformation into a private nonprofit organization at some time in the future. When that occurs, the City Council will no longer appoint members of the Cultural Council nor determine operating procedures for it.

Section 10. Compensation. The members of the Cultural Council shall receive no compensation from the City of Kirkland. Expenses specifically authorized by the City Manager may be advanced or reimbursed to a member.

Section 11. Funds and Fundraising. The Cultural Council may choose to do fundraising with the goal of garnering support for Cultural Council projects. The City Council intends to seek and consider Cultural Council recommendations for use of funds received through such fundraising. Until the Cultural Council becomes a private entity, all fundraising receipts must be handled in accordance with laws, rules and policies applicable to city funds. For example, the City Council must appropriate funds before they are available to be spent and funds may only be used for allowable public purposes. In the event that the Cultural Council also wishes to seek other (general fund) financial support from the City, the Cultural Council must forward such specific request to the City Manager. The Cultural Council shall not imply City commitment to an expenditure before City approval of that recommendation or request.

Passed by majority vote of the Kirkland City Council in open meeting this 7th day of April, 2009.

Signed in authentication thereof this 7th day of April, 2009.

  
MAYOR

Attest:

  
City Clerk