



**2012 – 2013
DENVER COUNTY CULTURAL COUNCIL
APPLICATION**

Name Peter J. Kirsch

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1) QUALIFICATIONS: What is your experience with arts, cultural, scientific or historical organizations? Describe the nature of your involvement, including the organization(s) and time period(s).

I have been involved with a number of arts, cultural, scientific and historic organizations in Denver for a number of years. As a result of my service on many not-for-profit boards from varied perspectives, I have acquired expertise in matters of Board governance, Board policy-making, budgeting, development and strategic planning. My counsel is frequently sought by clients and colleagues in the Denver not-for-profit on these topics.

I served for seven years on the Board of Directors of the Museum of Contemporary Art (2005-2012). I served as the Board Secretary during my final year. During my service, the Museum engaged in a complex and sophisticated transaction for the bond financing and ultimately the construction of the new Museum building at 15th and Delgany. I worked with staff on educating the Board on the complex financial transactions associated with the construction project, through which I gained both an understanding and appreciation for the complexities of finding (and fundraising for) ambitious capital projects for cultural institutions. I also worked with staff on some issues related to the Museum's application for SCFD funding and defects in the application which threatened the Museum's eligibility. I assisted the Board Chair through a delicate leadership transition process and advised both Board and management on the merger of the Museum with the Lab at Belmar. Since the expiration of my term on the Board, I have remained interested and involved in Museum issues.

I am currently serving on the Board of Trustees (and as Chair of the Nominating and Governance Committee) of the Denver Botanic Gardens. The challenges that the DBG faces are fundamentally different from MCA-Denver. In contrast to MCA, which was a new and developing organization, trying to establish its presence on the Denver cultural scene, the DBG has been working aggressively to reposition itself in the Denver cultural environment. A key component of this repositioning is helping DBG become more relevant to the larger Denver metropolitan community, and reaching out to diverse and non-traditional audiences, so the Gardens can play a more meaningful, active role in the cultural life of the Denver metro area. This repositioning effort has required me to gain a nuanced understanding of the complexity of changing the culture of a well-established organization, and appreciating the need to approach such repositioning in a sensitive manner to avoid alienating existing supporters. As Chair of the Nominating Committee, I have been at the forefront of seeking new Trustees who can help introduce the Gardens to underserved communities, people of color and other groups who have not historically found the Gardens to be a welcoming environment. I have assisted the CEO and Board in building a more cooperative relationship with the DBG's neighboring communities, and erasing years of tense neighborhood relations.

In addition to these two key leadership positions in Denver, I have served other cultural and educational organizations in other capacities. I served as a member of the Board of Trustees of Oberlin College in Oberlin, Ohio for six years (2000-2006) and was intimately involved in a \$175 million capital campaign and in helping protect Oberlin's 150+ year heritage of multi-cultural education. I have served on the Boards of many other not-for-profit organizations including service on the Board of Directors of Volunteers for Outdoor Colorado (including two years as Board Chair) and Conservation Colorado (currently serving as Chair) and Trust for Public Land's Colorado Advisory Board. While none of these is a cultural, arts, scientific or historic organization, my

long service on not-for-profit Boards has given me a deep and sophisticated understanding of funding, financing, development, management and strategic planning issues of the kinds of small organizations which SCFD often funds.

2) EDUCATION, KNOWLEDGE & SKILLS: Briefly describe your education and the knowledge and skills you would bring to the DCCC.

I earned my bachelor's degree with highest honors from Oberlin College in the fields of English Literature and Government. I received my juris doctor (law) degree from the University of Chicago.

As a lawyer, I have been in private practice in Denver since 1997. (I previously practiced law with the same firm, based in Washington, DC., for more than a decade. I also practiced law for a short time in Seattle, Washington.) Prior to law school, I served briefly in the U.S. Foreign Service where my principal responsibility was to serve as the desk officer for the negotiation of the release of the U.S. hostages in Iran and the settlement of claims against the Iranian government in 1980-81.

Most of my law practice involves representation of public sector clients in major development projects with a particular emphasis on infrastructure and transportation projects. Almost all of my work has included significant public policy elements since, unlike private sector clients, my clients' objectives are rarely reducible to dollars-and-cents and require a thorough understanding of local policy, political and social needs and an appreciation for the subtle but important differences among different communities and their needs.

Although not a significant component of my practice, my work has given me familiarity with issues of historic preservation, the National Historic Preservation Act (NHPA) and compliance with federal, state and local historic preservation laws. I have assisted clients with compliance with Section 106 of the NHPA for projects that have the potential to affect historic (or eligible) properties. I have also become familiar with historic preservation issues in Denver at a personal level as part of three separate historically sensitive renovations of my home, which is contributing structure in the Morgan's Historic District on Capitol Hill.

I am frequently called upon to provide counsel on not-for-profit governance issues. I have helped lead – as a Board member or as counsel – more than a half dozen not-for-profit mergers (including, for example, the merger of The Lab at Belmar and the Museum of Contemporary Art Denver) through which I have gained a deep understanding of not-for-profit management and financial issues. These mergers have ranged from complex national organizations to small local groups. I believe that this expertise would prove invaluable on the Denver Cultural Commission in understanding and evaluating organizations' effectiveness, management and strategic direction.

As a lawyer whose practice focuses almost exclusively on public sector projects, I would bring to the DCCC not only my legal skills but also experience working in an environment where political sensitivity is critical and where public policy implications of decisions are often more important than traditional business considerations.

3) VOLUNTEER/COMMUNITY INVOLVEMENT: List and briefly describe your community and volunteer activities.

In addition to more informal positions in community, school and neighborhood organizations, I have held the following leadership positions with Denver-based organizations (listed in chronological order):

- Chair, Bromwell Elementary CSC (school governance committee) (2002-2004)
- Board Member and Chair, Volunteers for Outdoor Colorado (2003-2010)
- Board Member and Secretary, Board of Directors, Museum of Contemporary Art Denver (2005-2012)
- Board Member, and Chair, Nominating and Governance Committee, Board of Trustees, Denver Botanic Gardens (2011 – current)

- Board Member, Colorado Advisory Board, Trust for Public Land (2012- current)
- Board Member and Chair, Conservation Colorado (formerly known as Colorado Conservation Voters (2004-2006, 2010- current)

Outside Denver, I have served on a number of national Boards for not-for-profit organizations including the following:

- Board Member and Chair, Board of Directors, River Network (1993-2002)
- Board Member, Board of Trustees, Oberlin College (2000-2006) (Chair of Community Relations Committee)
- Board Member, Civil Rights Research Council (1983-1984)

4) REFERENCES: List the name, phone number, and affiliation of 2 organizations/individuals with which you have worked in any of your community involvements in the past 5 years.

Adam Lerner, Director
Museum of Contemporary Art, Denver
303-298-7554

Brian Vogt, CEO
Denver Botanic Gardens
720-865-3515

Ann Baker Easley, Executive Director
Volunteers for Outdoor Colorado
303-715-1010

ADDITIONAL INFORMATION:

- Please answer the questions stated above even if you attach a bio.
- If not selected for the DCCC would you be willing to serve on another volunteer panel?

Yes, I would be willing to serve on another Board or Commission that is appropriate to my expertise and abilities

- Is there anything that would adversely affect public confidence in you appointment? If yes, please explain.

No. I serve (and have served) on several Boards, including one SCFD Tier III organization but I believe that the full disclosure of those positions in this application should be sufficient. My firm represents the City of Denver (as well as many other local governments in Colorado) but none of these representations would conflict with service on the Cultural Council.

Timeline

10/7: Application Deadline
 October: Application review & interviews



 SIGNATURE

 9-30-13
 DATE

Please submit applications to Tariana Navas-Nieves, Manager of Cultural Programs at Tariana.Navas@denvergov.org



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Peter J. Kirsch is a founding partner with the law firm of Kaplan Kirsch & Rockwell, with offices in Denver and Washington, DC. His practice emphasizes environmental and land use law, and public-sector negotiations. He most often represents local governments in environmental and land use negotiations and litigation concerning major public infrastructure projects. The matters in which Mr. Kirsch has been involved are frequently large urban projects which engender intense public and political debate and which demand a combination of legal and political solutions. Much of his practice involves securing federal funding and environmental approvals and coordinating those approvals with local land use authorities. Among the matters in which he has been involved are most of the largest and most controversial airport projects in the last 20 years; and construction of other regional transportation infrastructure.

Mr. Kirsch is admitted to practice in Colorado, Washington, Maryland, the District of Columbia and before many federal district and appellate courts and the U.S. Supreme Court.

Community Work

Mr. Kirsch has served on numerous charitable and not-for-profit boards. From 2004-2010, he served on the Board of Trustees of Volunteers for Outdoor Colorado (VOC), whose Board he chaired from 2006 to 2008. He led VOC through a complex leadership transition (including hiring of a new executive director), an expedited strategic planning process and led a merger of VOC with a sister organization that focuses on training land stewards in managing volunteers.

Mr. Kirsch currently chairs the Board of Directors of Conservation Colorado. He led the merger of Colorado Conservation Voters and Colorado Environmental Coalition in 2012 and has been instrumental in expanding the vision of the organization to integrate electoral work and grassroots coalition building. He also currently serves on the Board of Trustees of the Denver Botanic Gardens where he is chair of the nominating and governance committee.

From 2005 to 2012, Mr. Kirsch served on the Board of Trustees of the Museum of Contemporary Art – Denver where he was on the Executive Committee and chaired the Board’s planning and governance committee and nominating committee. His service on that Board coincided with intensive planning for (and securing financing for) the new MCA – Denver building (designed by architect David Adjaye), leadership transition from the founding director to a new executive director, and the merger with The Lab at Bemmar.

He has also served on the Board of Trustees of Oberlin College (Oberlin, Ohio) and River Network (Portland, Oregon).

Mr. Kirsch's maintains an active interest in governance of not-for-profit organizations and has assisted many organizations in leadership transitions of their executive directors and in mergers. He served as outside general counsel to Friends of the Earth in the early 1990s and advised the organization in its merger with two other environmental advocacy organizations.

A native of Washington, DC, Mr. Kirsch has lived with his wife and three sons in Denver, Colorado since 1997. All of his sons have been educated in the Denver Public Schools and are proud graduates (2011) and prospective graduates (2015) of East High School. Mr. Kirsch received his undergraduate degree with highest honors from Oberlin College and his law degree from the University of Chicago.

Publications

- "Ready, Set, Go: Legal Considerations in Implementing a Safety Management System," Airport Magazine, April-May 2011
- "The Airport Noise Act: Safe Harbor or Procedural Hurdle," 16 Air and Space Lawyer 14 (2002)
- "Sharing the Wealth from Airport Expansions," Urban Land 34 (1998)
- "Understanding Historic Preservation Issues," Chapter in ICMA Base Reuse Handbook (1997)
- "Using Formal Agreements to Provide Certainty in Airport-Community Relations," Airports 95 (Institution of Engineers-Australia Pub. No. 95/07) (1995)
- "Defining the Scope of Alternatives in an EIS after Citizens Against Burlington," 21 Environmental Law Rep. 10701 (1991)
- "Environmental Protection Through Federal Preemption of State Water Laws," 20 Environmental Law Rep. 10438 (1990)

Selected Speaking Engagements

- Frequent speaker at, and program committee member for, Annual University of California Airport Noise and Air Quality Symposium (1990 - Present)
- Frequent speaker at Florida Airports Council annual conference and environmental/noise issues conference
- Frequent speaker at Rocky Mountain Land Use Institute (Denver, CO)
- American Association of Airport Executives: Airport Planning Conference (2003 - 2007); Resort Airports Conference (2003, 2004, 2005, 2007); Annual Airport Law Conference (2005 - Present)
- Frequent speaker at Airports Council International - North America conferences and legal committee meetings
- National CLE (Real Estate-Environmental Law) (Vail and Snowmass, CO) (2000, 2001, 2002, 2008, 2013, 2014)