

A
RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
UPDATING THE ART DISPLAY POLICY

WHEREAS, the City Council of the City of Cherry Hills Village ("Council") is authorized under its home rule charter and pursuant to its general municipal powers to adopt policies and procedures in furtherance of its municipal functions and authority; and

WHEREAS, the Council approved Resolution 4, Series 2014, approving an Art Donation Policy; and

WHEREAS, the City Council desires to update the Art Donation Policy.


NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE:

Section 1. The City Council hereby amends and reaffirms the Art Display Policy, as more fully set forth in Attachment A, attached hereto and incorporated herein.

Section 2. This Resolution shall be effective immediately.

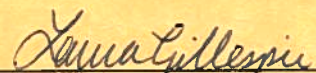
Introduced, passed and adopted at the
regular meeting of City Council this 19th day
of November, 2019, by a vote of 6 yes and 0 no.

(SEAL)

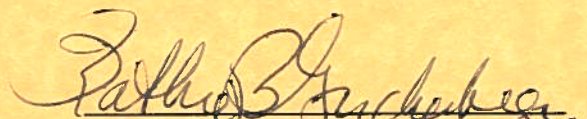

Russell O. Stewart, Mayor

ATTEST:

APPROVED AS TO FORM:



Laura Gillespie, City Clerk



Kathie B. Guckenberger, City Attorney

**ATTACHMENT A
ART DISPLAY POLICY**

Art Display Policy

I. **AUTHORITY:** The City of Cherry Hills Village (the “City”) has the authority under its home rule charter and pursuant to its general municipal powers to own, operate and manage its public buildings and facilities.

II. **PURPOSE OF POLICY:** The purpose of this policy is to provide guidance regarding the selection and responsibilities for art placed in any public building owned, operated or managed by the City (“City Buildings”).

III. **SCOPE:** This policy governs (a) the selection of art for display in City Buildings, each designated as a nonpublic forum, (b) responsibility for loss or damage to such works of art, and (c) obligations on display and removal.

IV. **POLICY:**

a. The City Council recognizes that all City Buildings serve as workplaces for City staff and emergency personnel and thus designates each City Building as a non-public forum. The use of City Buildings is primarily assigned for City-related business. On a limited basis, as set forth in this policy, designated areas within City Buildings are available for display of art work.

b. The Cherry Hills Village Art Commission (“CHVAC”), in coordination with City staff, as may be assigned by the City Manager, are charged with the responsibility for selecting and coordinating the arrangement and display of art work in City Buildings.

c. **The City is a participant in an intergovernmental risk sharing insurance pool and does NOT insure the art work not owned by the City that is displayed in any City Building.**

d. **Any artist who loans art work for display in City Buildings bears the risk of loss from damage, destruction, or theft of the art work while it is in the care of the City. Although reasonable efforts are made by the City, its employees, and officials to protect art work loaned for display, the City CANNOT assume any liability or responsibility for loss, damage or theft of the art work.**

e. In selecting art for display, the CHVAC and assigned City staff shall comply with the laws and policies of the City. The City prohibits unlawful discrimination and disruption of the workplace. In the interest of promoting effective and essential governmental services to its citizens, the City desires to retain its impartiality and the associated public trust and therefore will not accept works of art for display that are aesthetically displeasing, politically oriented, or offensive to segments of its citizenry. The City may make acceptance distinctions on the basis

of subject matter of the art work but will not base such display decisions on the basis of the potential displayer's viewpoint.

f. The CHVAC, in coordination with assigned City staff, may preview and accept or reject every piece of art before it is displayed and such decision is final.

g. Each work of art may be identified with a title, the name of the artist, and contact information, which may include a quick response (QR) code with additional information from the artist. No commercial sales of art work shall be permitted, except that sales of art work for which 10% of the proceeds are donated to the City for the acquisition and promotion of public art as agreed upon by the City acting by and through the CHVAC and the artist may be allowed at the discretion of the CHVAC or City Manager.

h. The City and the artist shall enter into an Art Display Agreement in a form approved by the City Attorney.

V. POLICY REVIEW: The City Council may review, revise or revoke this policy on an as-needed basis in its sole discretion.