

**A
RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
ADOPTING A POLICY ON USE OF VILLAGE BUILDINGS FOR ART DISPLAYS**

WHEREAS, the City Council of the City of Cherry Hills Village ("Village") is authorized under its home rule charter and pursuant to its general municipal powers to own, operate and manage its public buildings and facilities ("Village Buildings"); and

WHEREAS, each Village Building is designated as a non-public forum that is used primarily for the performance of Village business and functions and for other governmental and quasi-governmental business; and

WHEREAS, on a limited basis, designated areas within Village Buildings may be used for the public display of art work; and

WHEREAS, the City Council desires to establish a written policy on use of Village Buildings for art displays.

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

Section 1. The City Council hereby adopts the attached City of Cherry Hills Village Art Display Policy.

Section 2. This Resolution shall be effective immediately, provided that it shall not apply to approved art displays for which an agreement between the Village and artist is effective as of April 15, 2014.

Introduced, passed and adopted at the
regular meeting of City Council this 15th day
of April, 2014, by a vote of 4 yes and 0 no.

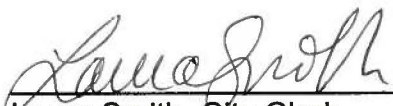
(SEAL)



Douglas M. Tisdale, Mayor

ATTEST:

APPROVED AS TO FORM:



Laura Smith, City Clerk



Linda C. Michow, City Attorney

EXHIBIT A
CITY OF CHERRY HILLS VILLAGE ART DISPLAY POLICY



CITY OF CHERRY HILLS VILLAGE ART DISPLAY POLICY

I. AUTHORITY: The City of Cherry Hills Village ("Village") 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 Village ("Village Buildings").

III. SCOPE: This policy governs (a) the selection of art for display in Village 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 Village Buildings serve as workplaces for Village staff and emergency personnel and thus designates each Village Building as a non-public forum. The use of Village Buildings is primarily assigned for Village-related business. On a limited basis, as set forth in this policy, designated areas within Village Buildings are available for display of art work.

b. The Cherry Hills Village Public Art Commission ("PAC"), in coordination with Village 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 Village Buildings.

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

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

e. In selecting art for display, the PAC and assigned Village staff shall comply with the laws and policies of the Village. The Village prohibits unlawful discrimination and disruption of the workplace. In the interest of promoting effective and essential governmental services to its citizens, the Village 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 Village 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 PAC, in coordination with assigned Village staff, may preview and accept or reject every piece of art before it is displayed and such decision is final.

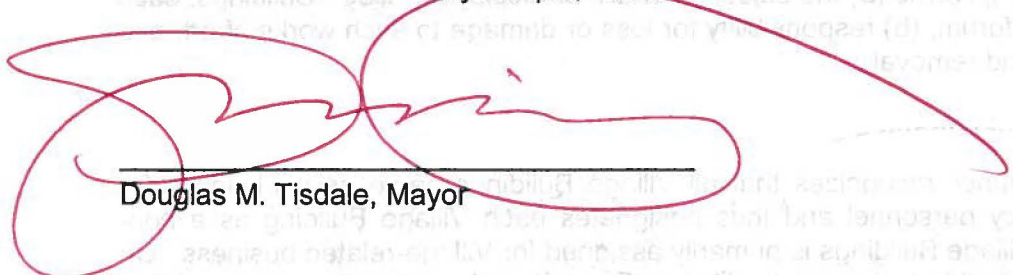
g. Each work of art may be identified with a title, the name of the artist, and contact information, which may include a quick response (QR) code with additional information from the artist. No commercial sales of art work shall be permitted, except that sales of art work for which a portion of the proceeds are donated to the Village for the acquisition and promotion of

public art as agreed upon by the Village acting by and through the PAC and the artist may be allowed at the discretion of the PAC or City Manager.

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

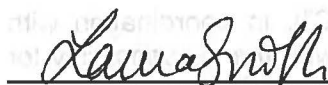
V. POLICY REVIEW: The City Council may review, revise or revoke this policy on an as-needed basis in its sole discretion.

Made effective this 15th day of April, 2014.



Douglas M. Tisdale, Mayor

ATTEST:



Laura Smith, City Clerk



(SEAL)