



MEMORANDUM

DATE: March 20, 2012

TO: Public Arts Commission

FROM: J. Logan, Assistant City Manager

SUBJECT: INSURANCE CONSIDERATIONS FOR PUBLIC SCULPTURE

I understand the Public Arts Commission is reviewing Loan Agreements for public sculpture.

With respect to the insurance sections of the Agreement, I suggest continuing with current practices of requiring the artist to provide insurance indemnity and hold harmless provisions in the Agreements. This may require the artist to purchase insurance for coverage to the City and is a standard feature of business insurance and readily available.

The City's general liability carrier requires vendors or persons engaged with the City to provide us with insurance coverage, indemnity and hold harmless waivers in order to do business or provide services to the City. Specifically, City insurance requires that,

- City will not be responsible to artist for any theft, loss or damages to sculpture due to delivery, installation, display, removal or showing of the art piece.
- Artist will hold harmless, indemnity and defend City for any losses, costs that may occur from use of art piece.

Artists need to understand this is a requirement of them in order to loan and display their art to the City. The City is in fact protecting tax payer's money by limiting exposure to law suits that may arise from providing public art in the community.

Let me know if any questions.

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