

Art in Public Places Resolution No. 20250306-29



Arts, Culture, Music and Entertainment
Art in Public Places | May 2026

Resolution No. 20250306-029 Directives



Policy Updates

Include 2%
Public-Private
Partnerships

Encourage 2%
Other Private
Developments

Allow flexible
use of funds for
artwork care,
relocation, and
re-installation

Art Placement
Flexibility

Curatorial
Services for
major projects

Programmatic Updates

Address
obstacles to
local
participation

Clearly explain
rights &
responsibilities
to artists

Support for
artists on
private
property

Communication Updates

Engage
stakeholders
(artwork removal)

Chapter 7-2
review and
associated
program

Stakeholder Engagement

External Engagement

AIPP Panel Working Group + Arts Commission

- Community advisory committee of the Arts Commission
- Austin community arts professionals in design/architecture and visual arts fields

Targeted focus groups and 1-1 conversations

- Artists who experienced deaccessions, removals, and relocation of artworks
- Curators, fabricators, and developers working in public art

Internal Engagement

Cross-Departmental Working Group

- 17 departments reviewed recommended changes

Council Offices + CMO

- Mayor Watson, Mayor Pro Tem Vela, CM Alter, CM Qadri, CM Ellis



Key Takeaways

- Improve program clarity and communications
- Clarity around the AIPP program
- Define roles and responsibilities
- Where to find resources
- Simplified visual flowcharts
- Information sessions

Public Art Benchmarking

Benchmarked **13-peer cities**, to evaluate Art in Public Places



13-peer cities:

1. New Orleans
2. Atlanta
3. Portland
4. El Paso
5. Nashville
6. Denver
7. Seattle
8. Dallas
9. San Antonio
10. Phoenix
11. Chicago
12. Los Angeles
13. New York

Key Takeaways:

- Percent for Art range from **1% - 2%**
- Most common eligible project term: **Capital Improvement Project**
- No eligible cost deductions for **9 cities**
- Maintenance funding is challenging across the board, **4 cities** allow limited use % of project dollars

Additional Benchmarking:

- Population served
- Age of public art program
- Size of collection
- Community Advisory Oversight (commission/committee)
- Deaccession Policy
- Staff Funding
- Public Private Development inclusion

Public Art Benchmarking – 13 cities

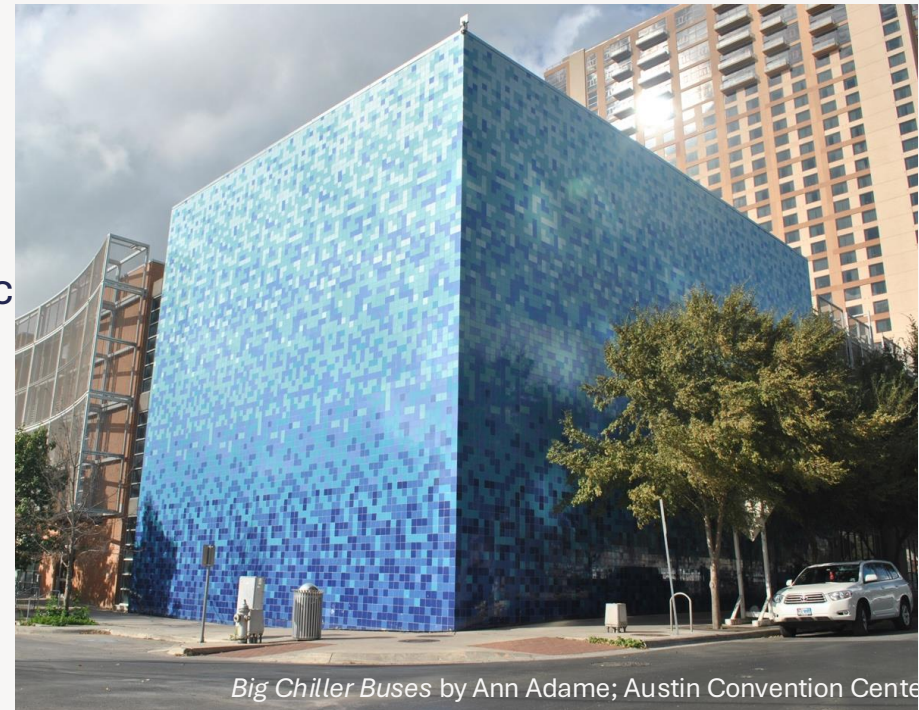
Peer City	% for Art	Program Age	Size of Collection	Allowable Deductions	Eligible Project Term	Maintenance Funding
Austin, TX	2%	40	400+	Yes	Construction Cost of a Project	non-bond
Dallas, TX	1.5%	36	300+	Yes	Capital Improvement Project	non-bond
El Paso, TX	2%	19	90+	None	Projects in CIP Program	unspecified
San Antonio, TX	1%	24	600+	None	Capital Improvement Project	non-bond
Atlanta, GA	1.5%	48	139+	None	Capital Project	.5% of 1%
Chicago, IL	1.33%	47	500+	Yes	Improvement Project	limited %
Denver, CO	1%	37	400+	None	Capital Improvement Project	1% of 1%
Los Angeles, CA	1%	36	500+	None	Capital Project	1% of 1%
Nashville, TN	1%	25	200+	None	Construction/Capital Project	limited %
New Orleans, LA	1.5%	39	400+	None	Capital Project	public art
New York, NY	1%	43	350+	Yes	Capital Project	unspecified
Phoenix, AZ	1%	39	300+	None	Capital Project	non-bond
Portland, OR	2%	50	460+	Yes	Improvement Project	10% of 2%
Seattle, WA	1%	52	400+	None	Construction Project	non-bond

Public-Private Partnership (P3s)



Directive: Include **public-private partnership** capital projects (P3), while exempting affordable housing costs, where applicable, and providing a process for alternative compliance that meets or exceeds City standards

- AFS explained what council referred to as a P3 project is more accurately described as an *alternate delivery model* that utilizes a Public Facilities Corporation.
- Ordinance update requiring capital projects utilizing alternate delivery models (including the use of a Public Facilities Corporation); allocate 2% of project cost (*affordable housing exempt*)
- Policy updates to incorporate clear definitions (Public Facilities Corporation)
- Allow alternate delivery models to utilize AIPP's prequalified artist pool for faster delivery method
- Develop a decision tree to collaborate with AFS Redevelopment team for AIPP inclusion



Big Chiller Buses by Ann Adame; Austin Convention Center

Private Developments

Directive: Include a review of public art requirements in **other private development** regulations and programs, including but not limited to **planned unit developments, density bonus programs, and Cultural Districts**

- Ordinance update encouraging private developments to incorporate public art, providing an option to incorporate public art into the construction project or donate to the Public Art Fund
- Policy updates to incorporate clear definitions
- Allow private developers to utilize AIPP's prequalified artist pool
- Partnered with internal City stakeholders to define terms and how to incorporate public art as an option to receive tier-two certification, pending SB840*

**SB840 is a major land-use reform bill requiring ADS to update current policies and zoning applications*



Funds for Maintenance

Improvement: Allow flexibility for the use of **funds for maintenance**, relocation; conservation, storage, deaccession, and re-installation of artwork

Ordinance + Policy updates

- Expand language to allow unused project allocations without legal restrictions to be pooled and used to steward the AIPP collection (relocation, conservation, storage, repairs, etc.)*
- Expand language to allow up to 5% for repair and improvements of existing public art without legal restrictions*
- Clarify sponsor department's roles and responsibilities for routine maintenance
- Require sponsor departments to provide annual report of artworks in their trust

**maintenance is not an eligible expenditure for bond dollars, annual budget requests for needed maintenance allows for flexibility*



Routine Maintenance

(rinsing, dusting, landscaping, and care of the area around the artwork) =

Sponsor Department responsibility

Artwork Repairs & Restorations

(structural repair) = AIPP responsibility

Art Placement Flexibility

Directive: Allow greater flexibility for the use of **funds in the nearby vicinity of projects**, or in any publicly accessible or visible areas of properties owned by the City, if it **improves public visibility and engagement**.

For the purposes of this policy, City-owned property includes sites secured through long term easements or controlled by local government corporations including, but not limited to, the Austin Housing Finance Corporation, Austin Public Facility Corporation, and Austin Housing Public Facility Corporation;

- Ordinance updates to expand language for artwork to be placed across the city on City-owned property, including long-term easements or controlled by local government corporation
- Policy clarifications to pool funding from bond propositions to allow a shared distribution of art across Austin
- Remove Austin Water and Wastewater treatment facility cap of \$300,000 and restrictions on Austin Energy substations



Benchmarking Recommendations:

- Pool bond funds to distribute public art opportunities across the city vs each project (San Antonio)
- Flexibility of art placement via nexus of place or theme (Seattle)

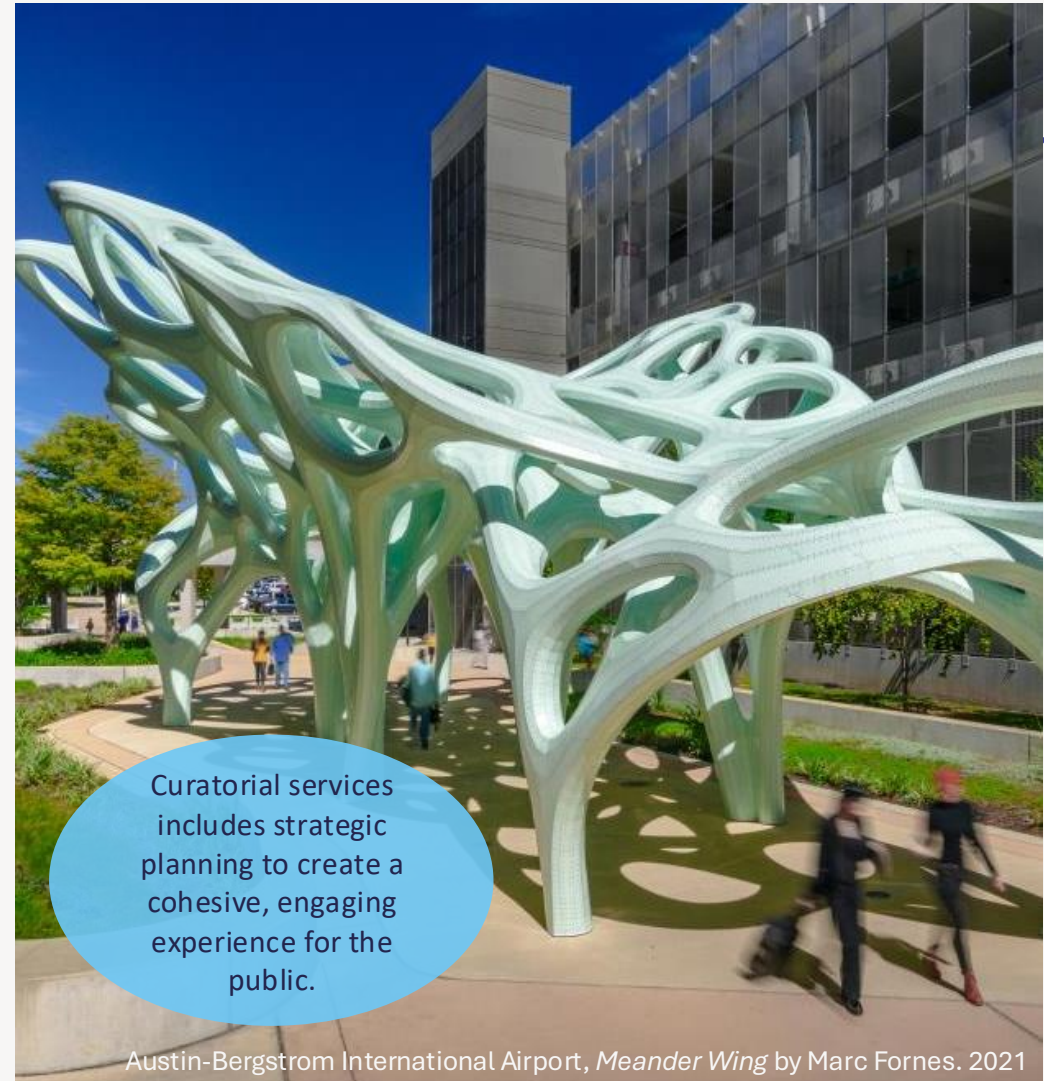
Curatorial Services

Directive: Allow the solicitation of **curatorial services** as a delivery model for major projects; and

Curatorial services is a tool AIPP already utilizes to plan for major projects while preserving continuity of project goals and inclusion of our community. **[e.g., AUS Public Art Plan]**

Updates to current practice:

- Define AIPP “major project”, as a consideration of size of budget, multi-artist opportunity, community impact, etc.
- Incorporate “major project” into tiered approach of capacity building for Austin’s local talent



Austin-Bergstrom International Airport, *Meander Wing* by Marc Fornes. 2021

Programmatic & Communication Improvements



Encourage Local Participation

- Relaunch Prequalified Public Artist Pool
- Capacity building public art projects
- Artist mentorship workshops
- Evaluate LaunchPAD and TEMPO

Contract Clarity and Communication

- New standardized pre-execution artist notice outlining rights, responsibilities, and deaccession/relocation processes
- New contract exhibit artwork ownership
- New standardized contract review
- New clear documentation on lifespan of an artwork
- New contract expectations in Art Call outreach

Artist Resources: Public & Private Property

- Artist workshops – know your rights!
- Central webpage with resources
- Contract example online
- Artist recognition (plaque templates)
- Artist business classes

Responsive:

These updates directly respond to Council-identified barriers including long-term maintenance obligations, contract complexity, and risk exposure for local artists.

Additional Administrative Changes

Additional Administrative & Language Updates



Austin Water cap removal

- Exploration of alternative funding approaches (via MOU with Austin Water)
- Piloting a model for alternate compliance models (e.g., enterprise partnerships)

Governance Clarification

- City Manager or designee will review and make a determination on any exemption requests before they move forward to Arts Commission and Council for approval

Maintenance & Repair Clarification

- Routine Maintenance, such as rinsing, dusting, landscaping, and care of the area around the artwork remains the Sponsor Department's responsibility.
- Repairs and Specialty Maintenance, such as bronze waxing, lighting integrated within the artwork, electronic or technology components, etc. shall be considered AIPP's responsibility.
- Specialty Maintenance shall be approved by the User Authorization Form and documented in the artwork maintenance plan.

2% Allocation Clarification

- Clarify current practice by City of Austin, to align with industry definition of construction cost
- Language updates:
 - 2002: "**Construction Cost** means the cost of a project to the City"
 - 2026: "**Capital Project Cost** means the cost of a project to the City"



Nightwing, Dale Whistler

NEW: Ordinance Section 4, Funding for Art City Manager Review & agreement

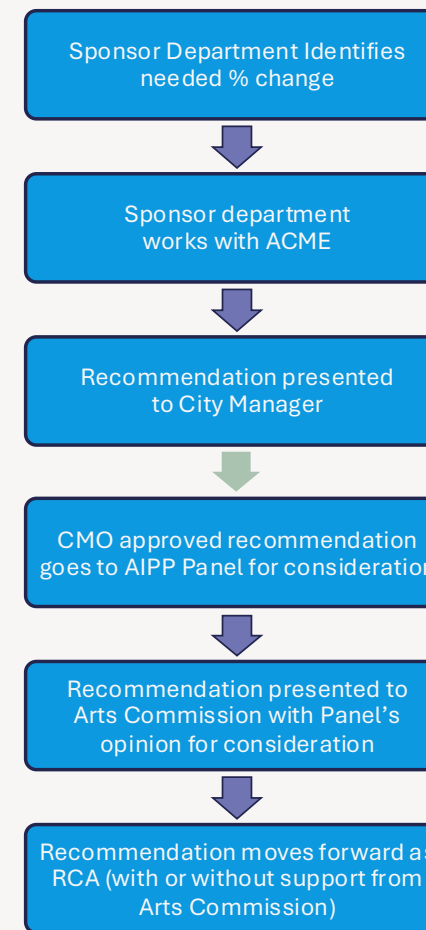


FUNDING FOR ART.

(A) Except as otherwise provided in this section, the council shall appropriate an amount equal to at least two percent of the **[construction] capital project cost [of a project]** to select, acquire, and display art. The appropriation shall be a separate item in the project budget. This limitation does not apply if the council determines, after receiving a recommendation from the Arts Commission, that the project merits or requires a greater or lesser appropriation.

(1) Capital projects, in coordination with ACME, seeking an exception from the two percent appropriation must first obtain approval from the City Manager or designee prior to Arts Commission and council approval.

Workflow



Chapter 7-2 (*Art in Public Places*) side-by-side

1985 Ordinance	2002 Ordinance Update	2026 Current Update Version (redlines in progress)
<p>ESTABLISH 1% of the original estimated construction cost of a city construction project (CAP: not to exceed \$200,000 per project)</p>	<p>UPDATES:</p> <ul style="list-style-type: none"> - 1% to 2% - Further define construction cost - Remove project cost cap, - Add a project cost minimum \$100,000. - Add provision for Arts Commission & Council authority to increase or decrease 2% 	<p>PROPOSED UPDATES:</p> <ul style="list-style-type: none"> - Update language from construction cost to Capital Project Cost; industry best practice, and more clear for consistent calculation - Increase listed eligible deductions to better meet industry definition for “construction cost” - Includes City Manager review and agreement prior to Arts Commission and Council when adjusting 2% higher or lower - Update language to include CMO guidelines review and coordination prior to adoption.
<p>How to request exemption per ordinance:</p> <p>No process to exempt eligible projects from the 1%.</p>	<p>How to request exemption per ordinance:</p> <p>This limitation does not apply if the council determines, after receiving a recommendation from the Arts Commission, that the project merits or requires a greater appropriation.</p>	<p>How to request exemption per ordinance:</p> <p>The City Manager or designee will review and concur with any recommendations that requires a greater or lesser appropriation prior to Arts Commission and Council Approval.</p>
<p>Definition for calculation:</p> <p>“Construction cost” means actual construction cost excluding...:</p>	<p>Definition for calculation UPDATE:</p> <p>“Construction cost calculation” means the cost of a project to the city, [in accordance with deductions outlined in section 7-2-4 – “construction cost calculation”]</p>	<p>Proposed Definition for calculation UPDATE:</p> <p>CONSTRUCTION CAPITAL PROJECT COST means the cost of a project to the City as determined in accordance with Section 7-2-6 (Construction Capital Project Cost Calculation).</p>
<p>Eligible Deductions Listed:</p> <ol style="list-style-type: none"> 1. architectural, 2. engineering, 3. administrative costs, 4. costs for fees and permits, 5. and indirect cost, such as interest during construction, advertising and legal fees 	<p>Eligible Deductions Listed:</p> <ol style="list-style-type: none"> 1. debt issuance cost, 2. demolition cost, 3. equipment cost, 4. permit and fee cost, and 5. real property acquisition excluding parkland 	<p>PROPOSED Eligible deductions:</p> <ol style="list-style-type: none"> 1. debt issuance cost, 2. demolition cost, 3. equipment cost, 4. permit and fee cost, and inspection cost 5. real property acquisition excluding parkland 6. architectural, 7. engineering, 8. administrative and indirect cost, including interest during construction, a dvertising and legal fees; planning costs; project management costs
		<p>Proposed Guidelines 7-2-8 language expansion:</p> <p>The City shall establish guidelines for the implementation of this chapter to ensure alignment with City policies, administrative procedures, and fiscal practices [...].</p>

Next Steps

- Finalize program guidelines
- RCA and Ordinance Adoption (Goal -5/28)
- Process improvement planning with Austin Capital
- Delivery + Sponsor Departments
- Standardized Calculation Formula + Templates for enhanced community transparency



Tau Ceti by Josef Kristofletti; Austin Convention Center