City of Austin

Recommendation for Action

File #: 26-1732, **Agenda Item #:** 2. 10/22/2026

Posting Language

Approve an ordinance amending City Code Chapter 7-2 (Art in Public Places) to add and revise definitions, require City facilities delivered by a public facility corporation to incorporate a two percent allocation of construction cost as defined by Chapter 7-2, encourage private developers to incorporate a two percent allocation of a project's cost to art, and expand and update language regarding the flexibility of art placement and funding for maintenance, repairs, relocations, and deaccessions. Funding: This item has no fiscal impact. The future financial impact will be determined as specific capital improvement projects and public facility corporation projects are approved.

Lead Department

Austin Arts, Culture, Music and Entertainment.

Fiscal Note

Approving this ordinance does not have an immediate fiscal impact. The future financial impact will be determined as specific capital improvement projects and public facility corporation projects are approved.

Prior Council Action:

March 6, 2025 - Council approved Resolution No. 20260306-029, directing the City Manager to review City Code Chapter 7-2 (Art in Public Places) and associated program guidelines.

October 31, 2002 - Council approved the increase of the Art in Public Places (AIPP) allocation from one percent to two percent of construction project costs.

September 26, 1985 - Council adopted the AIPP program to direct the inclusion of works of art in construction projects in order to expand citizens' experience with visual art and to stimulate the vitality and economy of the City while enhancing Austin's standing as a national leader in the arts.

For More Information:

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Council Committee, Boards and Commission Action:

October 19, 2026 - to be reviewed by the Arts Commission.

October 14, 2026 - to be reviewed by the AIPP Panel.

September 25, 2026 - Economic Opportunity Committee Briefing presentation on Austin Art, Culture, Music and Entertainment's response to Resolution No. 2025036-029, and the upcoming amendments to City Code Chapter 7-2 (Art in Public Places)

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September 21, 2026 - Not recommended by the Arts Commission on a 7-0 vote; see Recommendation Number 20260921-14: Request for a Public Meeting on Proposed Amendments to City Code Chapter 7-2 (Art in Public Places) to City Council for rationale.

August 3, 2026 - Not recommended by the AIPP Panel on a 6-0 vote, pending a dedicated public meeting on the proposed amendments to City Code Chapter 7-2 (Art in Public Places Ordinance) and the Art in Public Places Guidelines before City Council action.

June 1, 2026 - Not recommended by the AIPP Panel on a 6-0 vote, pending greater clarity on Chapter 7-2 (Art in Public Places) compliance.

May 18, 2026 - Not recommended by the Arts Commission on an 8-0 vote, Recommendation Number 20260518-014: Recommendation to Decline Proposed Updates to the Art in Public Places Ordinance to City Council for rationale.

April 20, 2026 - Not recommended by the Arts Commission on a 10-0 vote; see Recommendation Number: 20260420-012: Recommendation not to adopt the proposed changes to the Art in Public Places Ordinance Chapter 7-2 to City Council for rationale.

April 15, 2026 - Not recommended by AIPP Panel on a 6-0 vote, pending greater clarity on how redefining capital project cost will impact the AIPP budget.

Additional Backup Information:

Since its establishment, the AIPP program has integrated more than 400 visual artworks into City capital projects, shaping the character of public spaces across the community. As the City grows and as project delivery models shift to include more public-private partnerships (P3s) which will be referred to alternate delivery models, the program must evolve to remain effective and responsive.

In March 2025, City Council adopted Resolution No. 2025036-029, directing staff to conduct a comprehensive review of the AIPP ordinance and program guidelines. In response, Austin Arts, Culture, Music, and Entertainment (ACME), in partnership with other departments, stakeholders, and industry professionals, undertook a phased review of the ordinance and guidelines.

The review process followed a phased approach. Phase 1 began in March 2025 and focused on policy review, benchmarking against peer cities, and gathering initial staff feedback. Phase 2, from June through August 2025, expanded engagement to include department partners, external stakeholders, and legal review. Phase 3, from September through December 2025, brought forward the final recommendation for adoption, initiating the update of program guidelines, and launching new art calls and resources. Phase 4, beginning in 2026, will focus on full program implementation and ongoing evaluation to ensure the ordinance and guidelines remain effective and responsive.

Between April 30 and June 30, the AIPP Ordinance & Guidelines Working Group convened to evaluate existing policies and practices, which produced recommendations across three categories: policy updates, programmatic updates, and communication improvements.

The final recommendations include:

- Expanding the AIPP program to include capital projects with alternate delivery models, with exemptions for affordable housing and options for alternative compliance.
- Reviewing how public art is addressed in private development regulations, such as planned unit developments, density bonuses, and cultural districts.
- Increasing flexibility in the use of AIPP funds, including for maintenance, relocation, and broader

geographic placement of artworks.
- Introducing curatorial service models for major projects.
- Reducing barriers for local artists and fabricators to participate.
- Requiring clear communication of artist rights and responsibilities prior to executing contracts.
- Exploring support for public-facing art on private property, such as murals.
- Engaging stakeholders affected by the removal or restoration of public art on both public and significant private property.

These recommendations are designed to align the AIPP program with the City's current and future needs, ensure clarity and fairness in implementation, and expand opportunities for artists and the community. With Council's adoption, the program will move forward into its next phase, modernizing to meet the City's evolving cultural and development landscape.