

## AGENDA ITEM SUMMARY

City Council



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### STAFF

Eileen May, Director of Cultural Services  
Cheryl Donaldson-Moses, Senior Manager, Cultural Services  
Ellen Martin, Lead Specialist, Cultural Services

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### SUBJECT

**Second Reading of Ordinance No. 162, 2025, Amending Section 23-302 of the Code of the City of Fort Collins to Amend the Definition of “Construction Project”.**

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### EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on October 7, 2025, amends the definition of “Construction Project” in Code. The City’s Art in Public Places ordinance currently includes language that requires a 1% allocation from construction projects that will cost more than \$250,000 to fund the acquisition and maintenance of public art. “Construction project” is defined as “the construction, rehabilitation, renovation, remodeling or improvement of any building, structure, street, sidewalk, park, utility or other public improvement by or for the City, including all associated landscaping, parking, design, engineering, equipment or furnishings for such improvement, and all other costs, but excluding the cost of real property acquisition, vehicles, equipment not affixed to public property and any improvements made by any special improvement district.” Staff seeks to amend this definition to expressly exclude maintenance from the definition of “construction project”.

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### STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

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### FIRST READING BACKGROUND / DISCUSSION

Staff has engaged in extensive collaboration between Cultural Services, Operations Services, and the City Attorney’s Office to review the Art in Public Places Ordinance. This cross-departmental review confirms that City staff would like to expressly exclude any maintenance and any work to replace existing building systems from the definition of “construction project”. Amending the definition in this way will ensure that any maintenance project, including projects to replace existing building systems, will not be subject to the 1% Art in Public Places contribution.

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### CITY FINANCIAL IMPACTS

The exact financial impact of clarifying that maintenance work is not eligible for the 1% Art in Public Places contribution is unknown, though it will reduce the costs of certain maintenance projects, streamline budget planning, and reduce pressure on Operations Services during the budget cycle.

## **BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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None.

## **PUBLIC OUTREACH**

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None.

## **ATTACHMENTS**

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First Reading attachments available in the October 7, 2025, agenda materials at the following link:  
<https://fortcollins-co.municodemeetings.com/>

1. Ordinance No. 162, 2025