

## **SUBJECT**

First Reading of Ordinance No. 049, 2012, Appropriating Prior Year Reserves in the Light & Power Fund and in the Water Fund for the Fort Collins Museum of Discovery Art in Public Places Project.

## **EXECUTIVE SUMMARY**

This Ordinance appropriates \$590,000 from the Art in Public Places (APP) Reserves in the Water Fund and Light & Power Fund for APP artist Ned Kahn to create unique educational art experiences as part of the exhibits at the Fort Collins Museum of Discovery. The artist will begin working with the project team to develop unique, inspiring educational displays using the themes of water, sustainability and energy. \$45,000 was previously appropriated in 2012 towards the design phase of this project. When completed, the final design concepts will be brought to Council for consideration and approval prior to fabrication and installation.

## **BACKGROUND / DISCUSSION**

Section 23-303 of the City Code established the Art in Public Places (APP) Reserve Account, and designated it for use in acquiring or leasing works of art, maintenance, repair or display of works of art, and administrative expenses related to the Art in Public Places Program

Through the integration of science, culture, and history, the exhibits at the new Fort Collins Museum of Discovery will inspire visitors to explore the future in the context of the present and the past. Exhibit themes represent the interests expressed by the community and those interests include water, energy and sustainability. Utility education staff has been actively involved in developing the content for the water, energy, and sustainability exhibits. These exhibits compliment Utility programs designed to educate community members, from school-age children to adults, about safety, natural resource conservation, water and energy-efficient choices and the importance of clean water and reliable energy. The Art in Public Places program, along with artist Ned Kahn will work with Utility and Museum staff to create unique educational art experiences incorporated onto the exhibit floor around themes such as safety, conservation and wise use of resources.

The APP Guidelines allow for works of art to be located in both interior and exterior spaces. The program works with the project team to determine the goals and specific location for the artwork(s). Examples of APP interior works are at EPIC near the second ice rink, the art installation at the main entrance into Council Tree Library, and the recently placed artwork in the lobby of the newly renovated Lincoln Center. APP artists have previously developed exhibits, such as the Police Museum display in the main lobby of the Police Facility. City Code allows for Utility APP contributions to be used at non-Utility sites if the project is for a specific utility purpose that is beneficial to the rate payers. This project will aid the Utility purpose of educating community members around themes of concern to the Utility, such as safety, natural resource conservation, water and energy efficiency and the importance of clean water and reliable energy.

The APP Selection Committee (APP Board and Museum Project team members, and Purchasing Department) selected Ned Kahn from a national call (RFQ) of 218 submissions. Ned Kahn started his career as an artist at the Exploratorium Museum in San Francisco in the early 1980s, creating interactive sculptures inspired by everything from wind and waves to black holes and galaxies. In recent years, he has collaborated with architects and designers on a number of large-scale public art projects throughout the world. Kahn states, "I am fascinated with the idea of an artwork becoming a scientific instrument, a detector of phenomena, and blurring the boundaries between art, architecture, science and nature". His projects include an ocean wave powered fountain on a pier in the Los Angeles Harbor and a linear water feature powered by air rising from a parking garage exhaust vent in a park in San Francisco. He is currently fabricating a large rain-gathering vortex sculpture in Singapore.

**FINANCIAL / ECONOMIC IMPACTS**

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This Ordinance will appropriate prior year reserves in the amount of \$590,000, with \$390,000 from the Water Fund Art in Public Places Reserve and \$200,000 from the Light & Power Fund Art in Public Places Reserve. Reserves are accumulated in these funds for future APP projects. There are sufficient reserves to fund this appropriation.

**ENVIRONMENTAL IMPACTS**

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The APP artist will collaborate with the project team on this project.

**STAFF RECOMMENDATION**

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Staff recommends adoption of the Ordinance on First Reading.

**BOARD / COMMISSION RECOMMENDATION**

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At its May 16, 2012 meeting, the Art in Public Places Board recommended adoption of the Ordinance.

**ATTACHMENTS**

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1. Art in Public Places Board minutes, May 16, 2012

Art in Public Places Board  
 May 16, 2012 minutes  
 DRAFT

**DRAFT**

Ms Martin distributed a memo that was provided to the APP program. Mr. Heffernan explained the memo and explained that the APP board could send City Council or discuss the memo with their APP Council. Ms Martin would be to give examples of the types of

projects that would not be built if the various provisions were put into place.

VIII. Flood Marker Design Review

Artist Mark Leichliter joined the table to talk about his design of an illuminated stainless steel flood marker with water droplet shapes cut out of it and moveable water level indicators. He also included an educational signage design for this Storm Water Utility project. Utilities would like to place multiple flood markers in the future, but are focusing on a single marker at Creekside Park for now. They would like to get it installed in time for a Storm Water event in July.

Ms Kreutzer moved to accept the design as presented and approved by the project team.

Ms Nevrivy seconded the motion.

Unanimously approved

IX. Midyear Report

Ms Martin distributed the mid-year report to the board and went over it, soliciting feedback. Staff will seek email responses from the board after they have a chance to look it over.

X. Council Appropriation

Ms Stilwell remained at the table to discuss this topic. Ms Martin gave an overview of the plan for APP artist Ned Kahn's to create unique educational art experiences as part of the exhibits at the Fort Collins Museum of Discovery. \$590,000 total appropriations are sought and will go to City Council on June 5. The artwork must have an educational component that relates to Utilities. The project originally started out with \$435,000, but Utilities Electric wanted to add to the budget and extend the educational display. Support from the APP board is being sought for the appropriations. Discussion was had regarding the funding system.

Ms Kreutzer moved to recommend City Council approve the appropriation of \$590,000 of APP funds for use at the FCMOD.

Ms Nevrivy seconded the motion.

Unanimously approved

Ms Kreutzer wants to make a big statement at this important city facility.

VII. Staff Reports:

Ms Martin distributed and went over the staff report.

VIII. Other Business:

IX. Adjournment: Meeting adjourned at 6:02 by Mr. Hall

Respectfully Submitted,

Anne Bossert

**DRAFT**

ORDINANCE NO. 049, 2012  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING PRIOR YEAR RESERVES IN THE LIGHT & POWER  
FUND AND IN THE WATER FUND FOR THE FORT COLLINS  
MUSEUM OF DISCOVERY ART IN PUBLIC PLACES PROJECT

WHEREAS, the Fort Collins Museum of Discovery Project will expand the educational experience of visitors by providing a broad array of scientific, cultural and historical exhibits in a single location; and

WHEREAS, the City Council established the Art in Public Places (APP) program in 1995 to encourage and enhance artistic expression and appreciation, and add value to the community through acquiring, exhibiting and maintaining public art; and

WHEREAS, the APP program is funded by setting aside one percent of all eligible city construction projects over \$250,000, as defined in the APP guidelines; and

WHEREAS, the APP Selection Committee has selected artist Ned Kahn to develop unique educational art experiences as part of the Fort Collins Museum of Discovery exhibits using the themes of water, sustainability and energy; and

WHEREAS, the projected cost of the materials, installation, and contingency for this APP project is \$590,000; and

WHEREAS, funds are available in the Water Fund - Art in Public Places Reserve (\$390,000) and in the Light and Power Fund - Art in Public Places Reserve (\$200,000) for this APP project; and

WHEREAS, Article V, Section 9 of the City Charter permits the City Council to appropriate by ordinance at any time during the fiscal year such funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated; and

WHEREAS, upon completion of the designs for the proposed exhibits, the City Council will have the opportunity, by separate resolution, to review the designs and approve the expenditure of the APP funds appropriated by this Ordinance, including determining whether the proposed project meets the City Charter and Code requirements for expenditure of Utility APP funds.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That there is hereby appropriated for expenditure from prior year reserves in the Water Fund the amount of THREE HUNDRED NINETY THOUSAND DOLLARS (\$390,000) for the Fort Collins Museum of Discovery Art in Public Places project.

Section 2. That there is hereby appropriated for expenditure from prior year reserves in the Light and Power Fund the amount of TWO HUNDRED THOUSAND DOLLARS (\$200,000) for the Fort Collins Museum of Discovery Art in Public Places project.

Introduced, considered favorably on first reading, and ordered published this 5th day of June, A.D. 2012, and to be presented for final passage on the 17th day of July, A.D. 2012.

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Mayor

ATTEST:

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Interim City Clerk

Passed and adopted on final reading on the 17th day of July, A.D. 2012.

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Mayor

ATTEST:

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City Clerk