

3H-1

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: July 21, 2009

☒ Consent ☐ Regular
☐ Ordinance ☐ Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

A) **adopt** a Resolution rescinding and replacing Resolution 2008-0864 pertaining to the Public Art Committee (Committee); and

B) **approve** the nomination of new Committee member Dorotha G. Lemeh to fill the vacant PBC resident w/significant visual art background seat.

Summary: The replacement Resolution modifies Committee member duties and adds three (3) year terms for committee appointments/reappointments. This Resolution also extends the termination date of the Committee for five years from the date of the passage of the Resolution. In addition, the BCC is being asked to approve the nomination of Dorotha G. Lemeh to the Committee for a term of three (3) years. (FDO Admin) Countywide (MJ)

Background and Justification: On May 20, 2008 the BCC approved the latest revision to the Resolution creating and governing the Public Art Committee. Recommended revisions to the Resolution include the addition of terms for Committee appointments/reappointments, and the removal of a requirement that the District Commissioner sit on selection committees for artwork to be located within their districts. In addition, a new member is recommended to fill the vacant "PBC resident w/ significant visual art background" seat. Ms. Dorotha G. Lemeh is an Assistant Professor of Visual Art at Florida Atlantic University's Wilkes Honors College in Jupiter, FL where she teaches both studio art and visual art criticism. Ms. Lemeh is also an artist who has participated in over 80 exhibitions in 9 different countries.

Attachments:

1. Proposed Resolution - Redlined
2. Proposed Resolution - Clean
3. Nomination Information Form

Recommended by: _____

Department Director

6/23/09
Date

Approved by: _____

County Administrator

7/17/09
Date

II. FISCAL IMPACT ANALYSIS

Five Year Summary of Fiscal Impact:

Fiscal Years	2009	2010	2011	2012	2013
Capital Expenditures	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT ,	<u>*</u>	<u>-0</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>

ADDITIONAL FTE
POSITIONS (Cumulative)

Is Item Included in Current Budget? Yes _____ No _____

Budget Account No: Fund _____ Department _____ Unit _____ Object _____
Reporting Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS:

A. OFMB Fiscal and/or Contract Development & Control Comments:

** No fiscal impact*
[Signature] 7/10/09
OFMB *(MD)* CN 7/11/09
7/10/09

[Signature] 7/9/09
Contract Dev. and Control
6. Jones 7/8/09

B. Legal Sufficiency:

[Signature] 7/10/09
Assistant County Attorney

C. Other Department Review:

RESOLUTION NO. R2009-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, RESCINDING RESOLUTION R2008-0864 AND REPLACING IT WITH A RESOLUTION CREATING THE PUBLIC ART COMMITTEE; PROVIDING FOR DUTIES AND FUNCTIONS; PROVIDING FOR MEMBERSHIP; PROVIDING FOR MEETINGS AND ORGANIZATION; PROVIDING FOR COMMITTEE ACTION ADVISORY ONLY; PROVIDING FOR ASSISTANCE; PROVIDING FOR TERMINATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT WITH FEDERAL OR STATE LAWS OR COUNTY ORDINANCES

WHEREAS, the Board of County Commissioners acknowledge the quality of works of art exhibited in the County's non-profit museums and galleries as setting a standard of excellence for art acquisition programs;

WHEREAS, the Board of County Commissioners acknowledges the mission and success of the Palm Beach International Airport and the Palm Beach County Courthouse art acquisition programs in creating an environment of visual excellence for residents and visitors through selection, acquisition and exhibition of works of art in all appropriate media, significantly but not exclusively by Florida artists, which represents the best in Florida visual style, spirit and diversity, as recommended by a group including recognized county art experts; and

WHEREAS, the Board of County Commissioners acknowledge the success of the recently completed "Call to Artists" for the creation of an aesthetically-appealing solution to security barriers, combining artistic beauty with public safety at the Palm Beach County Main Courthouse; and

WHEREAS, the Palm Beach County Board of County Commissioners recognizes the role of Public Art Committee plays in advising the County in an overall public art policy, in the direction of public art in Palm Beach County, and in the integration of artistic elements into the planning, design and engineering process of County facilities; and

WHEREAS, the Board of County Commissioners desires to create an advisory committee to recommend to the Board of County Commissioners the selection, acquisition and placement of works of art in and on County-owned facilities and properties.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA THAT:

Section 1. Creation. Upon adoption of this Resolution by the Board of County Commissioners, there is created and established a committee to be known as the Public Art Committee ("Committee").

Section 2. Duties and Functions. The Committee shall advise the Board of County Commissioners as to; a) the overall art policy in Palm Beach County; b) set the direction and conduct the selection of all County works of art, whether loaned, donated or purchased, and c) develop an educational program to expend the traditional definition and perception of art and the benefit of incorporating artwork into public design projects.

Section 3. Membership.

A. The Committee shall be staffed by one or more staff members of Facilities Development & Operations. The Committee shall consist of ten (10) members - 9 regular; 1 alternate who shall be appointed by the Board of County Commissioners as follows:

1. One (1) member shall be the Chair of the Board of County Commissioners of Palm Beach County or his or her commissioner designees, ~~and shall act as Chair of the Public Arts Committee.~~

2. Two (2) members shall be an Urban Planner or Architectural Design professional. ~~One shall be a regular Committee member; one shall be an Alternate member.~~

3. One (1) member shall be a member of the Board of Directors or staff member of the Palm Beach County Cultural Council, as recommended by the Cultural Council.

4. Two (2) members shall be Palm Beach County professional nonprofit visual art administrators.

5. Three (3) members shall be Palm Beach County residents with significant visual art background.

6. One (1) member shall be a Landscape Architect.

B. Appointment of new members to fill vacancies in the Committee created by resignation shall be made by the Board of County Commissioners as recommended by the person, group or entity that was responsible for recommending the original appointment.

C. The Alternate will have the same opportunity to provide input on Committee discussions and direction setting as regular members. If the number of regular attendees is less than 5, and the Alternate is in attendance, they will be permitted to vote. However, the Alternate is only permitted to vote when a quorum is not met for an individual meeting.

D. For Committee members appointed/reappointed on or after the passage of this Resolution, the Committee member term shall be three (3) years from the date of appointment/reappointment.

~~D. E.~~ Any selection committee convened for the purpose of selecting or commissioning a work of art for placement of artwork within a courthouse or on the site of a courthouse shall include the Chief Judge or his/her designee as a voting member.

~~E. F.~~ Any selection committee convened for the purpose of selecting or commissioning an exterior work of art or for placement of artwork on a site within municipal limits shall include a representative of the municipality as a voting member. The municipality shall designate its representative.

~~F. G.~~ Any selection committee convened for the purpose of selecting or commissioning a work of art or for placement of artwork at a facility or site occupied or managed by a County department shall include a representative of the user department as a voting member. The department director or his or her designee shall be the department representative.

~~G. All selection committees convened for the purpose of selecting or commissioning a work of art or for placement of artwork at a County owned facility or site shall include the District County Commissioner as a voting member.~~

H. The Committee shall have the ability to identify and include additional voting members to any selection committee if the Committee believes it is necessary to ensure appropriate artistic, technical or community input.

Section 4. Meetings and Organizations. The Committee shall establish a time and place for holding meetings as may be necessary and shall adopt such rules or organization and procedure as may be required. The Committee shall appoint a ~~vice chairman~~, may establish sub-committees for specific subjects or tasks and may invite participation in the subcommittee by non-members in order to obtain input from other sectors of the public interested in the selection,

acquisition, and siting of works of art. All meetings of the Committee and any of its sub-committees shall be open to the public, duly advertised and otherwise comply with all applicable requirements of Florida's Government in the Sunshine and Public Records laws.

Section 5. Committee Action Advisory Only. The actions, decisions and recommendations of the Committee shall not be final or binding on the Board of County Commissioners but shall be advisory only.

Section 6. Assistance. The Committee shall be encouraged to seek additional funds from private and public foundations, private individuals, and other public agencies, including the State of Florida and the National Endowment for the Arts, for acquisition of works of art. The Committee may also consider permanent donations of art to the County, provided they meet criteria established for acquired works of art.

Section 7. Termination. The Committee shall expire and terminate five (5) years from the date of passage hereof without further action of the Board of County Commissioners, unless otherwise extended.

Section 8. Severability. If any section, paragraph, sentence, clause, phrase or word of this Resolution is, for any reason, held by the Court to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Resolution.

Section 9. Conflict with Federal or State Law or County Ordinance. Any statutory or Ordinance provisions in conflict with this Resolution shall prevail to the extent of such conflict.

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The foregoing resolution was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote was passed as follows:

COMMISSIONER JOHN F. KOONS, CHAIRMAN
COMMISSIONER BURT AARONSON, VICE CHAIRMAN
COMMISSIONER KAREN T. MARCUS
COMMISSIONER SHELLEY VANA
STEVEN L. ABRAMS
JESS R. SANTAMARIA

The Chair thereupon declared the resolution duly passed and adopted this _____ day of _____, 2009.

PALM BEACH COUNTY, FLORIDA BY ITS
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK & COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEVAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

By: _____
County Attorney

By: _____
Audrey Wolf, Director
Facilities Development & Operations

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F. Any selection committee convened for the purpose of selecting or commissioning an exterior work of art or for placement of artwork on a site within municipal limits shall include a representative of the municipality as a voting member. The municipality shall designate its representative.

G. Any selection committee convened for the purpose of selecting or commissioning a work of art or for placement of artwork at a facility or site occupied or managed by a County department shall include a representative of the user department as a voting member. The department director or his or her designee shall be the department representative.

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COMMISSIONER BURT AARONSON, VICE CHAIRMAN
COMMISSIONER KAREN T. MARCUS
COMMISSIONER SHELLEY VANA
STEVEN L. ABRAMS
JESS R. SANTAMARIA

The Chair thereupon declared the resolution duly passed and adopted this _____ day of _____, 2009.

PALM BEACH COUNTY, FLORIDA BY ITS
BOARD OF COUNTY COMMISSIONERS

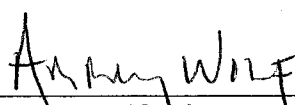
SHARON R. BOCK, CLERK & COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEVAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

By: _____
County Attorney

By: 
Audrey Wolf, Director
Facilities Development & Operations

Part I:

☒ At Large Appointment or ☐ District Appointment

Term of Appointment: 3 Years. From: July 21, 2009 To: July 20, 2012

Seat Requirement: _____ Seat #: _____

☐ *Reappointment or ☒ New Appointment

or ☐ to complete the term of _____ Due ☐ resignation ☐ other to: _____

Completion of term to
expire on: _____

Part II: ***APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT***

Name: Leneh Dorothea Grace
Last First Middle

Occupation/Affiliation: Assistant Professor of Studio Art

Business Name: The Harriet L. Wilkes Honors College - FAU MacArthur Campus

Business Address: 5353 Parkside Drive

City & State Jupiter, FL Zip Code: 33458

Residence Address: 819 Promenade Way, Apt. 207

City & State Jupiter, FL Zip Code: 33458

Home Phone: (561) 514-5299 Business Phone: (561) 799-8019 ext. _____

Cell Phone: (561) 484-7183 Fax: ()

Email Address: dlemeh@fau.edu

Mailing Address preference: ☒ Business Address ☐ Residence

Minority Identification Code:

☐ IF (Native-American Female) ☐ IM (Native-American Indian Male)
☒ AF (Asian-American Female) ☐ AM (Asian-American Male)
☐ BF (African-American Female) ☐ BM (African-American Male)
☐ HF (Hispanic-American Female) ☐ HM (Hispanic-American Male)
☐ WF (Caucasian Female) ☐ WM (Caucasian Male)

Part III: COMMISSIONER COMMENTS

Appointment to be made at BCC Meeting on: July 21, 2009

***When a person is being considered for re-appointment, the number of previous disclosed voting conflicts shall be considered by the Board of County Commissioners.**

_____ Number of previously disclosed voting conflicts during the previous term

Signature: _____ Date: _____

Pursuant to Florida's Public Records Law, this document may be reviewed and photocopied by members of the public.

Revised 6/2007

ATTACHMENT #3