

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2013 | 2014 | 2015 | 2016 | 2017 |
|---|---------------|--------------|--------------|--------------|--------------|
| Capital Expenditures | _____ | _____ | _____ | _____ | _____ |
| Operating Costs | _____ | _____ | _____ | _____ | _____ |
| External Revenues | _____ | _____ | _____ | _____ | _____ |
| Program Income (County) | _____ | _____ | _____ | _____ | _____ |
| In-Kind Match (County) | _____ | _____ | _____ | _____ | _____ |
| NET FISCAL IMPACT | <u>*_____</u> | <u>_____</u> | <u>_____</u> | <u>_____</u> | <u>_____</u> |
| # ADDITIONAL FTE POSITIONS (Cumulative) | _____ | _____ | _____ | _____ | _____ |

Is Item Included in Current Budget: Yes _____ No _____

Budget Account Fund _____ Dept _____ Unit _____ Object _____
 No: Program _____

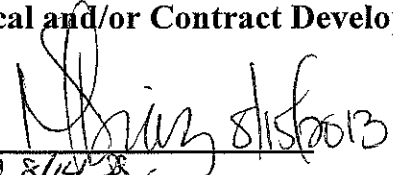
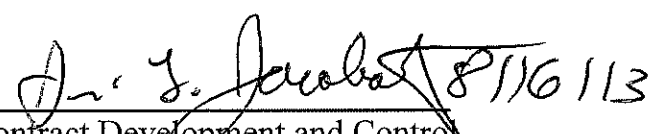
B. Recommended Sources of Funds/Summary of Fiscal Impact:

*There is no fiscal impact associated with this item.

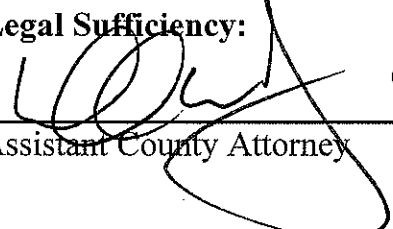
C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:



 OFMB *KN 8/14/13* Contract Development and Control
8-16-13 B. Wheelan

B. Legal Sufficiency:


 Assistant County Attorney *8/19/13*

C. Other Department Review:

 Department Director

This summary is not to be used as a basis for payment.

RESOLUTION NO. R2013-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, RESCINDING RESOLUTION R2010-2092 AND REPLACING IT WITH A RESOLUTION CREATING THE PUBLIC ART COMMITTEE

WHEREAS, the Board of County Commissioners acknowledges 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 Palm Beach County Board of County Commissioners recognizes the role a 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, and to review proposed murals pursuant to Article 5, Chapter I of the Unified Land Development Code; and

WHEREAS, the Board of County Commissioners desires to bring the Resolution into compliance with the Board of County Commissioners' uniform policies and procedures on advisory boards as provided in Resolution R2013-0193.

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 expand the traditional definition and perception of art and the benefit of incorporating artwork into public and private design projects; and (d) review and provide recommendations to the County Administrator and/or Board of County Commissioners, as applicable, relating to murals as further described in Article 5, Chapter I of the Unified Land Development Code.

Section 3. Membership.

A. The Committee shall be staffed by one or more staff members of Facilities Development & Operations. The Committee shall consist of nine (9) members – eight (8) regular; one (1) alternate who shall be appointed by the Board of County Commissioners as follows:

1. Two (2) members shall be an Urban Planner or Architectural Design professional.

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

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

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

5. 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, and members may serve no more than three (3) consecutive three (3) year terms. Terms shall begin on October 1st and end on September 30th. Existing member's term shall end on September 30th of the year in which their term expires. Vacancies occurring during a term shall be filled for the unexpired portion of the term, and shall not count towards the members term limits. ~~from the date of appointment/reappointment.~~

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.

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.

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.~~ **Uniform Policies and Procedures of Advisory Boards.** The Committee shall be subject to the uniform policies and procedures established by the Board of County Commissioners for Advisory Boards as currently set forth in Resolution R-2013-0193, as may be further amended by action of the Board of County Commissioners.

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.

Section 10. Effective Date. The provisions of this Resolution shall become effective upon approval by the Board of County Commissioners.

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

| | |
|--|---|
| Commissioner Steven L. Abrams, Mayor _____ | - |
| Commissioner Priscilla A. Taylor, Vice Mayor | - |
| Commissioner Hal R. Valeche | - |
| Commissioner Paulette Burdick | - |
| Commissioner Shelley Vana | - |
| Commissioner Mary L. Berger | - |
| Commissioner Jess R. Santamaria | - |

The ~~Mayor~~Chair thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2013.

PALM BEACH COUNTY, FLORIDA, BY ITS

BOARD OF COUNTY COMMISSIONERS
SHARON R. BOCK, CLERK & COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
County Attorney

RESOLUTION NO. R2013-_____

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- Commissioner Priscilla A. Taylor, Vice Mayor -
- Commissioner Hal R. Valeche -
- Commissioner Paulette Burdick -
- Commissioner Shelley Vana -
- Commissioner Mary L. Berger -
- Commissioner Jess R. Santamaria -

The Mayor thereupon declared the Resolution duly passed and adopted this

_____ day of _____, 2013.

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK & COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
County Attorney