

ORDINANCE NO. 2021 - \_\_\_\_\_

**AN ORDINANCE CREATING THE COLLIER COUNTY PUBLIC ART COMMITTEE; PROVIDING FOR THE FUNCTIONS, POWERS AND DUTIES OF THE COMMITTEE; PROVIDING FOR APPOINTMENT AND COMPOSITION; PROVIDING FOR TERMS OF OFFICE; PROVIDING FOR REMOVAL FROM OFFICE; PROVIDING FOR OFFICERS, QUORUM, AND RULES OF PROCEDURE; PROVIDING FOR REIMBURSEMENT OF EXPENSES; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on April 23, 2019 the Board of County Commissioners (Board) adopted Resolution 2019-75 an amendment to the Collier County Community Redevelopment Plan that includes the development of an Arts and Cultural Plan for the Bayshore Gateway Triangle Community Redevelopment Area; and

**WHEREAS**, on March 24, 2020 the Board adopted Cultural Paradise: Celebrating Creativity in Collier County (the County Arts and Cultural Strategic Plan), the inaugural arts and cultural plan for the County; and

**WHEREAS**, on July 23, 2021, Board adopted the Bayshore Gateway Triangle Public Art Pilot Plan to advance the County Arts and Culture Strategic Plan goals and the commitments to the Collier County community by (a) elevating the area as an arts destination, (b) strengthening Collier County's arts and cultural ecosystem, and (c) further implementing the Community Redevelopment Plan; and

**WHEREAS**, the Board wishes to create a Public Art Committee to advise the Board on all matters relating to the public art within the entire unincorporated area of the County, including the Bayshore Gateway Triangle Community Redevelopment Area.

**NOW, THEREFORE. BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:**

**SECTION ONE: Establishment of the Collier County Public Art Committee.**

The Board of County Commissioners hereby establishes the Collier County Public Art Committee (the "Committee"). The purpose of the Committee is to serve as a forum for advancing



public art in Collier County, and to make recommendations to the Board of County Commissioners in matters related to public art policies, issues, programs, and plans for the benefit of the citizens of Collier County, Florida.

**SECTION TWO: Functions, Powers and Duties of the Committee.**

The function, powers and duties of the Committee shall be as follows:

- A. To review proposals to provide public artwork either through loan, donation, or purchase, and make recommendations to the Board of County Commissioners.
- B. To review and make recommendations to the Board of County Commissioners for the off-site location of public art in public places.
- C. To provide comments and recommendations to the Board of County Commissioners as to proposed public art for public structures owned by the County, including property located within Community Redevelopment Areas.
- D. To confer with persons or organizations who have offered to donate or loan works of art to the County for proposed placement on public property.
- E. To perform other duties as directed by the Board.

**SECTION THREE: Appointment and Composition.**

The Committee shall be composed of seven members. In keeping with Ordinance 01-55, as amended, the County Advisory Board Ordinance, members of the Committee shall be appointed by and serve at the pleasure of the Board of County Commissioners. Said members shall be permanent residents and electors of Collier County. In making such appointments, the Board will give preference to members of local arts organizations, architects, planners, and working artists. All members of the Public Art Committee shall be persons with knowledge of and appreciation for the visual arts. One member shall represent the Bayshore Gateway Triangle Community Redevelopment Area (BGTCRA) either as a resident, nonprofit leader, business owner, or have a business interest in the BGTCRA.

**SECTION FOUR: Terms of Office.**

The initial terms of office of the Committee members shall be as follows:



- A. Three members shall serve an initial term of one year.
- B. Four members shall serve an initial term of two years.

Thereafter, each appointment or re-appointment shall be for a term of two (2) years. Appointments to fill any vacancies on the Committee shall be for the remainder of the unexpired term of office.

**SECTION FIVE: Removal from Office**

Removal of members from the Committee shall be in accordance with the provisions of Collier County Ordinance No. 2001-55, as amended; however, any member of the Committee may be removed from the Committee, with or without cause, by a majority vote of the Board of County Commissioners.

**SECTION SIX: Officers; Quorum; Rules of Procedure.**

- A. Annually the members of the Committee shall elect a chairman and vice chairman from among the members. Officers' terms shall be for one (1) year with eligibility for re-election.
- B. The presence of four or more members shall constitute a quorum of the Committee necessary to take action and transact business.
- C. The Committee shall, by majority vote of the entire membership, adopt rules of procedure or guidelines for the transaction of business and shall keep a written record of meetings, resolutions, findings and determinations. Any such rules of procedure or guidelines are subject to approval by the Board of County Commissioners.

**SECTION SEVEN: Reimbursement of Expenses.**

Members of the Committee shall serve without compensation but shall be entitled to receive reimbursement for expenses reasonably incurred in the performance of their duties upon prior approval of the Board of County Commissioners.

**SECTION EIGHT: Conflict and Severability.**

In the event this Ordinance conflicts with any other ordinance of Collier County or other applicable law, the more restrictive shall apply. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a

