



**AGENDA
PARKS AND RECREATION ADVISORY COMMITTEE
REGULAR MEETING
SEPTEMBER 10, 2024
5:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL OF MINUTES**
 - 4.1 August 2024 Regular Meeting Minutes
- 5. PUBLIC COMMENT REGARDING ITEMS NOT ON THE AGENDA**
- 6. DISCUSSION ITEMS**
 - 6.1 Art In Public Places: Review Public Art Ordinance And Application
- 7. STAFF REPORT**
 - 7.1 Department Updates
- 8. BOARD MEMBER COMMENTS**
- 9. ADJOURNMENT**

All members of the public are invited to be present and be heard. Persons with disabilities requiring accommodations in order to participate in this program or activity should contact the City Clerk at 904-310-3115 or TTY/TDD 711 (for the hearing or speech impaired).

The Parks and Recreation Advisory Committee met for a regular meeting on Tuesday, August 13, 2024, at 5:00 p.m., located in Commission Chambers at City Hall 204 Ash Street. Present were Chair Camera, Vice-Chair Cocchi, Member Spaulding, Member Pearlstine, Member Mountjoy, Member Goldman and Member Borrero.

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

4.1 July 2024 Regular Meeting Minutes

Vice Chair Cocchi made a motion to approve the July 2024 Regular Meeting Minutes. Second by Member Mountjoy; All Aye.

5. PUBLIC COMMENT REGARDING ITEMS NOT ON THE AGENDA: Miranda Ivey, Kate Zylinski, Michael Stone, Mac Morris, Leslie Andree, Jonathon Perez

6. PRESENTATION

6.1 Friends of Fernandina Skate Park (skate park future)

Mike Nichols presented: Proposal to build a concrete park on the North parcel adjacent to existing structure and integrate in Phase 2. Reviewed design and costs and funding approval (90k) for concept and architecture.

Public Comment- Michael Patrick, Director of Parks and Recreation Scott Mikelson discussed funding approval for the 90(k) into the 2025 budget, Jackson Barniak, Steven McCloskey, Paul Lore, Logan Brady, Beth Fuhrer, Jamie McCarthy, Becca Barlow, Augusta Hirshfeld, Kenny Penson, Poe Pinson.

7. DISCUSSION ITEMS

7.1 Skate Park Discussion

Public Comment – Chair Camera, Vice Chair Cocchi, Scott Mikelson, Member Borrero, Member Pearlstine

7.2 Public Art Application (Committee will review application and vote recommendation to the city Commission)

Scott Mikelson discusses location of the mural on the Fernandina skate shack

Member Mountjoy- motion to approve the application given that the Friends of Fernandina Skate Park maintain the mural and to pause all future applications until the board has a workshop and reviews the application, Second Member Pearlstine.

8. STAFF COMMENTS: Mr. Mikelson provided project updates and upcoming special events

9. BOARD MEMBER COMMENTS: Best Wishes for the Olympic parade. Mountjoy requested an update of the Pétanque placement. Scott Mikelson provides comments.

10. ADJOURNMENT

Chair Camera adjourned the meeting. The meeting was adjourned at 7:43 p.m.

Approved by: _____

Chair, Thomas Camera

CITY OF FERNANDINA BEACH PUBLIC ART APPLICATION

Specific criteria govern the selection of public art in the City of Fernandina Beach and will be utilized by the City, Parks and Recreation Advisory Committee (PRAC), and Historic District Council (HDC), during the process of review, selection, and approval of public art. These criteria include, but are not limited to, artistic quality and originality, diversity, feasibility, maintenance costs, and public support. More specific information regarding the selection criteria for temporary and permanent public art installations can be found under the Temporary and Permanent Art Acquisition Process section of this application.

It is understood that some criteria will have more relevance than others depending on the proposed artwork. This will be considered, and the criteria weighted accordingly. Artists are strongly encouraged to meet with City of Fernandina Beach staff or submit a preliminary concept application prior to completing this application.

Project Name:

Installation Type:

_____ Permanent art collection

_____ Temporary Installation (up to 1 year)

Proposed Location*: _____

**A map of approved locations is available through the City of Fernandina Beach*

Artwork:

Type [e.g., sculpture, mural, etc.]: _____

Artwork Description [include title, fabrication date, current location, medium, dimensions, materials and finishes, installation method, life expectancy]

Artist/Applicant:

Name: _____

Address: _____

Phone: _____

Email: _____

I understand that approval of art by the Parks and Recreation Advisory Committee or Historic District Council does not automatically denote approval of all necessary City permits for the installation and display of artwork. Additionally, I understand if the artwork is accepted for temporary display, I am solely responsible for all costs and acquiring all necessary permits and overseeing the installation and maintenance of the art. I am responsible for the care and maintenance of the art for the duration of the permitted display period and for the removal of art following the display period. I also understand that all donations of permanent art become the sole property and responsibility of the City of Fernandina Beach.

Signature: _____ Date: _____

The following materials **MUST** be provided with the completed application form:

- Project description, including purpose, artist's rationale and/or intention for the proposed work, history and provenance of artwork, relationship of project to other community interest and activities, involved individuals and organizations if any.
- Illustrative and/or construction drawings of proposed work; scale model of proposed sculptural work strongly recommended.
- Scaled site plan and color images of proposed installation location and its context.
- Scaled illustrative drawings or model showing artwork in relation to proposed site.
- Description of short-term and long-term maintenance requirements.
- Artist resume, annotated exhibition list, and CD Rom and/or hard copy color images of other works.
- Project timeline, including (as applicable) fabrication, delivery, installation and removal.

Applications may be submitted by mail or hand-delivered to:

City of Fernandina Beach Attn: Parks and Recreation Department 204 Ash Street Fernandina Beach, FL 32034

To schedule a meeting for pre-approval prior to completing this application, please call the City of Fernandina Beach at (904) 310-3350 and request to be added to the agenda of the appropriate reviewing board. At this meeting artists may submit a brief concept proposal and discuss the project with the board.

CITY OF FERNANDINA BEACH TEMPORARY & PERMANENT ART ACQUISITION PROCESS

The Parks and Recreation Department and appropriate reviewing boards will evaluate and recommend public art for placement by following a standardized process that assures fairness and public input. Temporary art will be reviewed and accepted into temporary display up to one year through the following process:

General Criteria:

Assuring the highest quality of aesthetic experience for the citizens of Fernandina Beach is the primary criterion for selection of public art. The objective of the selection process is to develop a worthwhile, enduring, and varied collection of artworks in public spaces.

In commissioning or accepting public art, the following general criteria apply:

- A. Media:** All visual art forms and materials will be considered
- B. Style:** Artwork reflecting any school, movement, or method style will be considered.
- C. Range:** Artwork may be functional or non-functional; conceptual or tangible; portable or site-specific; including folk art, craft, or fine art.
- D. Character:** Artworks must be appropriate in scale, media, style, and content to the project and environment to which they will relate.
- E. Permanence:** Consideration should be given to structural and surface integrity and the use of materials appropriate to the location to minimize or eliminate maintenance and repair costs.
- F. Public Safety/Liability:** Artworks and art places must be free of unsafe conditions or other factors bearing on public liability.
- G. Diversity:** In selecting works, the City will strive for diversity, reflecting the social, ethnic, and cultural fabric of the community.

FOR PERMANENT PUBLIC ART INSTALLATIONS ONLY:

Funding for purchase or commission of specific works of public art may be developed through the City budget process, grant or fund-raising activities, private or corporate donations, or any other process of the City of Fernandina Beach in accordance with its rules. The Public Art Selection and Acquisition Policy does not obligate or guarantee funding for public art.

Public Art Acceptance Policies

Site Selection:

The City of Fernandina Beach, along with Arts and Culture Nassau and the Fernandina Beach Historic District Council, has developed a map of recommended locations for both temporary and permanent public art displays. This resource will continue to be used by the PRAC and HDC to determine locations of public art displays.

In the selection of locations for the installation of proposed public art, the City strives to place public art in appropriate sites throughout the community with the objective of providing quality art to the greatest number of citizens. The intent is to develop a worthwhile, enduring, and varied collection of artworks in city public spaces that enhances, enlivens, and enriches the City while reflecting the values of the community.

Selection Process:

All public art in Fernandina Beach will be determined through a process overseen by the Parks and Recreation Department in cooperation with the Parks and Recreation Advisory Committee and the Historic

District Council. The objective of the selection process is to allow for broad representation of community interests in the selection of public art.

Selected artwork will be original work completed by the submitting artist.

FOR PERMANENT PUBLIC ART INSTALLATIONS ONLY:

For each approved site for public art, the Parks and Recreation Advisory Committee or Historic District Council will oversee the art selection process based on location. For permanent artwork, recommendations will be forwarded to the City Commission for approval. Artwork may be selected by purchase, commission, donation, or by contract with the artist as part of a design team.

The following criteria govern the selection of public art in the City of Fernandina Beach and will be utilized during the process of review, selection and approval of public art:

- A. Artistic Quality and Originality:** The strength and originality and creativity of the artist's concept and demonstrated skill or craftsmanship.
- B. Context:** The appropriateness of the concept within the proposed architectural, geographical, socio-cultural, and historical context, including use of appropriate scale and materials for the site.
- C. Diversity:** Style, media, and creativity of the art within the context will be considered.
- D. Feasibility:** Budget, timeline, and probability of success
- E. Design and Construction:** Issues related to fabrication of the installation, its durability, resistance to vandalism, long-term maintenance issues, and weather permanence.
- F. Support:** Demonstrated community agreement/support for the project. The City may choose to create an advisory group to represent the community in the selection process.
- G. Public Safety:** Meets all applicable building codes for public projects. The artist has shown due diligence in developing appropriate installation plans.
- H. Other:** The City may adopt other project specific criteria pertinent to special considerations of the site, the project, or the Commission's specific intent, provided such criteria are clearly and completely stated.

Administration of Program

The City will manage the implementation of public arts programming as follows, coordinating with other staff and review boards as appropriate.

- A. Encourage, identify, and accept public art sites, locations, and projects.
- B. Approve or reject artwork using outlined criteria.
- C. Work with staff to determine physical and logistical components of public art displays.
- D. Approve necessary signage, including identification labels and/or plaques, as appropriate.
- E. Create community panels to advise in the art selection process, as appropriate.
- F. Serve as a resource, guide, and counsel to the City Council and the City Manager regarding public art related issues.

Ownership/Copyright/Reproduction/Re-siting

- A. Temporary art works remain the property and responsibility of the artist while on display.
- B. Permanent works of art will remain the property and responsibility of the City of Fernandina Beach until such time as ownership is transferred to another party.
- C. The City intends that the work shall remain accessible to public viewing for the entirety of the permitted display period or as long as the City owns the work. However, in some cases permanent artwork may need to be removed from the display.

- D. The city retains the right to transfer work from one City-owned site to another, as it deems necessary, in consultation with the artist for all temporary art.
- E. The City retains the right to transfer work from one City-owned site to another, as it deems necessary, to place the work in storage, in another facility, to make a temporary loan to another agency or organization, or to resell.
- F. The City retains the right to deaccession works of arts it no longer desires to retain as a component of the public art program prior to the end of the temporary display period as necessary. In cases of temporary art, the work will be returned to the artist.

Artists' Responsibilities for Temporary Art

- A. Overseeing and completing installation of artwork.
- B. Working with the city to obtain appropriate signage for public art displays.
- C. Acquiring all appropriate permits as required through city policy.
- D. Maintenance and upkeep of art.
- E. Removal of art at the end of the permitted display period or deaccession. Artists may apply for extension of display period utilizing the standard public art permitting process.

Accepting Donations or Acquisitions of Artwork (Permanent Installations Only)

In addition to supporting the Public Art Program via financial assistance or the grant of land or long-term easements for public art, private parties and other entities may offer to donate completed or proposed works of art to the City of Fernandina Beach under the Public Art Program.

It is the responsibility of the City to review such proposals for consistency with the Public Art Program goals and, where appropriate, either accept or reject such gifts.

All such determinations reside with the City and any committee appointed thereby, as the designee of the Fernandina Beach City Commission. In evaluating offers of donated artwork, the City will use the procedures and criteria established to determine the appropriateness of both the proposed site and the extant or proposed work of art.

The Parks and Recreation Advisory Committee or Historic District Council will make a recommendation to the City Commission based on the acceptance of the proposed artwork. If the Commission approves the work of art, installation and maintenance of the work will be the responsibility of the City of Fernandina Beach. In most cases, installation will be performed with the artist's input.

ORDINANCE 2024-11

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 70, STREETS, SIDEWALKS, AND PUBLIC PLACES, BY AMENDING ARTICLE III, ART IN PUBLIC PLACES, BY AMENDING SECTION 70-151 DEFINITIONS; BY AMENDING SECTION 70-152 PROGRAM ADMINISTRATION; AMENDING SECTION 70-153 OWNERSHIP AND MAINTENANCE; AMENDING SECTION 70-154 ART IN PUBLIC PLACES FUND; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fernandina Beach has an Art in Public Places Program to contribute to the quality of life of its citizens, the economic successes of its businesses, an attraction for visitors and a benefit to tourism and to the aesthetic enhancement of the community; and

WHEREAS, the Program has been administered through the City's Arts and Culture Nassau committee. The City Commission sunsetted the committee on March 24, 2024, via Resolution 2024-48, and directed staff to amend the code with a new process for program administration; and

WHEREAS, the Parks and Recreation Advisory Committee and Historic District Council have both reviewed the proposed code amendment; and

WHEREAS, the City finds it in the best interest of the public to amend the Code of Ordinances by adopting a new procedure to administer the Art in Public Places Program.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH AS FOLLOWS:

SECTION 1. It is proposed that Chapter 70, Section 151, of the Code of Ordinances, City of Fernandina Beach, Florida, is hereby amended to read as follows:

Sec. 70-151. Definitions.

[The following words, terms and phrases, when used in this article, ~~shall~~ have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Aggregate job value means the total of all construction costs associated with a particular permanent art installation. Construction costs ~~shall~~ include all labor, structural materials, plumbing, electrical, mechanical, infrastructure, and site work.

Art, artwork, or works of art means tangible creations by an artist exhibiting the highest quality of skill and aesthetic principles and includes all forms of the visual arts conceived in any medium, material, or combination thereof, including, but not limited to, paintings, sculptures, engravings, carvings, frescos, stained glass, mosaics, mobiles, tapestries, murals, photographs, video projections, digital images, bas-relief, high relief, fountains, kinetics, collages, drawings, monuments erected to commemorate a person or an event, functional furnishings, such as artist designed seating and pavers, unique or original architectural elements and artist designed landforms or landscape elements. The following ~~shall~~ is not be considered artwork or works of art for purpose of this article:

- (1) Reproductions or unlimited copies of original artwork,
- (2) Art objects, which are mass-produced, or

- (3) Works that are decorative, ornamental, or functional elements of the architecture or landscape design, except when commissioned from an artist or designed as an integral aspect of a structure or site.

Art in Public Places Design Guidelines means a set of guidelines established by the ~~Arts and Culture Nassau~~ City of Fernandina Beach in cooperation with the ~~city attorney and city staff~~ Parks and Recreation Advisory Board and Historic District Council to provide procedures for the review and approval of public art.

Art in Public Places Program fund means a separate, non-interest bearing account set-up by the City to receive monies for the Art in Public Places Program.

Art permit fee ~~shall be~~ means a one-time fee to be paid by the artist or entity applying for each temporary art installation. The fee ~~shall go~~ is deposited into the Art in Public Places maintenance fund and must be utilized for the creation of artist recognition plaques and insurance coverage.

Artist or professional artist means a practitioner in the visual arts, generally recognized by critics and peers as a professional in the field. Indications of a person's status as a professional artist include, but are not limited to, income realized through ~~sole~~ commission of artwork, frequent or consistent art exhibitions, placement of artwork in public institutions or museums, receipt of honors and awards, and training in the arts.

~~*Arts and Culture Nassau* is the advisory board established by the City of Fernandina Beach City Commission, pursuant to Resolution 2007-102 as amended, shall oversee and administer the Art in Public Places Guidelines.~~

Historic District Council (HDC) is the advisory board established by Ordinance 526, which oversees and administers the Art in Public Places Guidelines within the boundaries of the Historic District and Community Redevelopment Area (CRA).

License agreement ~~shall be~~ means a temporary agreement between the City and an artist to place art in temporary art locations on City property.

Parks and Recreation Advisory Committee (PRAC) is the advisory board established by Resolution 2005-67, as amended, which oversees and administers the Art in Public Places Guidelines within the City limits, exclusive of the boundaries of the Historic District and Community Redevelopment Area (CRA).

Permanent art means artwork created either as a donation to the City or by the City and intended to be in place for a period greater than one year. Permanent art ~~shall will~~ be installed in cooperation with the artist. The City ~~shall will~~ be responsible for ongoing maintenance activities for the life of the artwork.

Publicly accessible means locations that are open to the general public during normal business hours and are visible by the general public ~~at all times~~.

Temporary art ~~locations~~ means artwork intended to be temporary in nature, ~~and~~ lasting no longer than one year. Temporary artwork must be installed, maintained, and removed in compliance with the approval received by the ~~Arts and Culture Nassau~~ appropriate approval board. Any temporary artwork which becomes defaced, altered from its original approval, or destroyed is subject to immediate removal and loss of its approved status.

SECTION 2. It is hereby proposed that Chapter 70, Section 152, of the Code of Ordinances, City of Fernandina Beach, Florida, is amended to read as follows:

Sec. 70-152. Program Administration; Committee Board roles and responsibilities.

The Art in Public Places Program is administered by the Parks and Recreation Department and overseen by the Parks and Recreation Advisory Committee and the Historic District Council.

- (a) Program Administration. The City of Fernandina Parks and Recreation Department, with feedback from Parks and Recreation Advisory Committee and the Historic District Council, will develop guidelines, selection procedures, artist recognition procedures, and organizational policies for both temporary and permanent artwork to facilitate the Art in Public Places Program. These guidelines will be reviewed and approved by the City Commission via Resolution.
- (b) Temporary Art Installations. Temporary art installations are reviewed and approved by the Parks and Recreation Advisory Committee or, if within the boundaries of the Historic District and Community Redevelopment Area (CRA), the Historic District Council, for compliance with the established Art in Public Places Guidelines. All temporary artwork locations are determined by the City Manager and are subject to change. Depending on the location, the PRAC or HDC has final approval over temporary art installations. Both Boards may make recommendations for extending or relocating temporary art to the City Commission.
- (c) Permanent Art Installation. Permanent art installations are reviewed by the Parks and Recreation Advisory Committee or, if within the boundaries of the Historic District and Community Redevelopment Area (CRA), the Historic District Council, for compliance with the established Art in Public Places Guidelines. Permanent art locations are determined on a case-by-case basis. The reviewing Board will make a recommendation to the City Commission, which has final approval over permanent art installations.
- (d) Applications. Applications for both temporary and permanent artwork are available from and must be submitted to the Department of Parks and Recreation for processing.
- (e) Additional Board Responsibilities. In addition to reviewing temporary and permanent art applications, both the Parks and Recreation Advisory Committee and the Historic District Council may:
 - 1) Issue recommendations to the City Commission on final selection of permanent art installations for purchase. Any approvals for purchase are then guided by the City's purchasing requirements.
 - 2) Coordinate, investigate, review, and recommend to the City Commission other means by which artworks may be obtained, including donations to the Art in Public Places Program, and grant applications for public art projects.
 - 3) Encourage public art throughout the City and educate and stimulate participation of all citizens in a joint public and private effort to promote art in public places.
 - 4) Coordinate, investigate, review, and recommend to the city commission other means by which artworks may be obtained, including donations to the Art in Public Places Program, and grant applications for public art projects.
- (f) Special events as permitted by the City, in which artwork may be displayed as part of the event on City rights-of-way or within public parks, are exempt from necessary public art permitting requirements. All artwork exempt from public art permit requirements must be removed within 24 hours of the end of the permitted special event.

~~The Arts and Culture Nassau committee shall administer the Art in Public Places Program. Its purpose, functions, role, and responsibilities within the Art in Public Places Program shall be as follows:~~

- ~~(1) Develop guidelines, selection procedures, and organizational policies for both temporary and permanent artwork to facilitate the Art in Public Places Program.~~
- ~~(2) Review and approve temporary art installations for compliance with the established Art in Public Places Guidelines with final approval granted by the Arts and Culture Nassau. Temporary art locations shall be determined by the city manager or his/her designee.~~

~~Temporary art locations will be specific and are subject to change. The Arts and Culture Nassau may issue recommendations for extending or relocating temporary art to the city commission.~~

- ~~(3) Review and issue a recommendation on all permanent art installations pending review by the historic district council, if located within a designated historic district or the Community Redevelopment Area (CRA), and provide notice to applicants that all permanent works of art are subject to final approval by the city commission. Permanent art locations shall be determined on a case by case basis.~~
- ~~(4) Establish artist recognition procedures for the placement of plaques. This shall apply to both temporary artwork and permanent art installations. Plaques recognizing the artist shall become property of the city.~~
- ~~(5) Prepares an annual Art in Public Places Program expenditure plan for the monies in the Art in Public Places fund for approval by the city commission during its annual budget review process.~~
- ~~(6) Related to city construction projects, in concert with city staff, is responsible for working with appropriate department program planning; designating temporary public art locations and long term/ permanent public art locations; provide support in determining project scope and budget; managing the artist selection process; commission artworks; approve design, execution and placement of artworks from the city's public art collection.~~
- ~~(7) Issue recommendations to the city commission on final selection of permanent art installations for purchase. Any approvals for purchase are then guided by the city's purchasing requirements.~~
- ~~(8) Recruit professionals in the visual arts and design fields to serve in the artist selection process in order to ensure works of highest quality.~~
- ~~(9) Encourage public art throughout the city and shall educate and stimulate participation of all citizens in a joint public and private effort to promote art in public places.~~
- ~~(10) ——— Ensure appropriate community participation in this process and provides public education activities as part of public art projects.~~
- ~~(11) ——— Coordinate, investigate, review, and recommend to the city commission other means by which artworks may be obtained, including donations to the Art in Public Places Program, and grant applications for public art projects.~~
- ~~(12) ——— Administer the city's donation policy for artwork in cooperation with the city attorney's office and the city's finance department.~~
- ~~(13) ——— Special events as permitted by the city, in which artwork may be displayed as part of the event on city rights of way or within public parks, are exempt from necessary public art permitting requirements. All artwork exempt from public art permit requirements must be removed within 24 hours of the end of the permitted special event.~~

SECTION 3. It is hereby proposed that Chapter 70, Section 153 of the Code of Ordinances, City of Fernandina Beach, Florida is amended to read as follows:

Sec. 70-153. Ownership and maintenance.

- (a) The City ~~shall~~ will retain ownership of all permanent works of art acquired and ~~shall~~ retain title to each work of art.
- (b) Artwork which has been donated to the City as a permanent art installation becomes property of the City upon formal acceptance by the City Commission. The City, in cooperation with the artist, ~~shall~~ will install the artwork. All maintenance activities will be conducted by the City indefinitely or until the artwork is removed.
- (c) All contracts for artwork that will be acquired or accepted for ownership by the City must be reviewed and approved by the City Attorney's office.

- (d) Ownership of all works of art incorporated into private construction projects, as may be required for development approval, ~~shall~~ will be vested in the property owner who ~~shall~~ will retain title to each work of art. If the property is sold, the seller may either:
 - (1) Include restrictions in the deed that require maintenance of the artwork and prevent its removal from the property;
 - (2) Transfer ownership of the artwork to the City of Fernandina Beach to be maintained as public artwork; or
 - (3) Remove the artwork and make a contribution to the Art in Public Places Program fund in an amount equal to 0.75 percent of its initial aggregate job value.
- (e) If the title is passed to a subsequent owner and, as a result, a deed restriction exists as to the artwork, the subsequent owner ~~shall~~ must maintain the artwork in accordance with applicable codes or other established guidelines. The artwork cannot be altered, modified, relocated, or removed other than as provided herein without prior approval of the Parks and Recreation Advisory Committee or the Historic District Council, depending on the location ~~Arts and Culture Nassau~~.
- (f) Artwork owners will be required to maintain the work of art in good condition in the approved location, as required by code or other applicable guidelines for all temporary artwork installations including, but not limited to, normal code enforcement rules, to ensure that proper maintenance is provided.
- (g) The artwork owner may request that artwork be removed from the site due to hardship with the approval of the Parks and Recreation Advisory Committee or the Historic District Council, depending on the location ~~Arts and Culture Nassau~~. In addition, in the event there is a condition that occurs outside of reasonable control of the owner, then this provision may be implemented with the approval of the ~~Arts and Culture Nassau~~ appropriate Board.

SECTION 4. It is hereby proposed that Chapter 70, Section 154 of the Code of Ordinances, City of Fernandina Beach, Florida is created to read as follows:

Sec. 70-154. Art in Public Places Program fund.

- (a) The City ~~shall~~ will maintain a separate accounting of monies received for the Art in Public Places Program which ~~shall~~ consist of the following:
 - (1) All funds received as part of the art permit fee.
 - (2) All funds donated to the City for purposes of the creation or maintenance of public art or for purposes of community outreach and education ~~furthering the mission of the Arts and Culture Nassau~~; and
 - (3) Any funds allocated by the City for the Art in Public Places Program through the budgetary process.
- (b) The Art in Public Places monies ~~shall~~ must be used solely for expenses associated with the selection, commissioning, acquisition, installation, maintenance, administration, removal, and insurance of work of art or public education in relation thereto at the discretion of the City Commission. Such funds ~~shall be~~ are administered by the City in consultation with ~~Arts and Culture Nassau~~ the Parks and Recreation Advisory Committee and the Historic District Council. Custody of the Art in Public Places funds ~~shall~~ remain with the City and all City policies and procedures ~~shall~~ must be strictly adhered to regarding the oversight of such funds. Programming of art in public places expenditures for new artwork ~~shall~~ will be included in the annual capital improvements plan and expenditures related to ongoing maintenance of the Art in Public Places Program shall be included in the operating budget of the City.
- (c) A minimum of ten (10%) percent of all non-restricted Art in Public Places Program funds which are applied to City-owned public art projects ~~shall~~ must be deposited into an Art in Public

Places "maintenance" account. The "maintenance account" ~~shall be~~ is administered by City staff as a function of the Art in Public Places Program.

SECTION 5. SEVERABILITY. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, the holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 6. This Ordinance shall become effective immediately upon enactment.

ENACTED this 16th day of July, 2024.

CITY OF FERNANDINA BEACH

BRADLEY M. BEAN
Mayor - Commissioner

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



CAROLINE BEST
City Clerk

TAMMI E. BACH
City Attorney

Date of First Reading: June 18, 2024
Date of Publication: July 3, 2024
Date of Second/Final Reading: July 16, 2024

Project Updates: 9/05/2024

- 1) Egans Creek Fitness Equipment: Ordered, should receive by September 15th. In-house installation will take place when the grass growing season slows down.

Notes:

- 2) Skate Park Repair: Staff will continue this repair following the early November skate competition. These funds have been rolled over to FY25. Parks and Recreation will begin the design phase for expansion following the start of FY25. \$90,000.00 will be in the FY25 Budget for this phase of the expansion project.

Notes:

- 3) Installation of walking track at Peck Field: Dirt removal and base layer was completed by the City Streets Department. The asphalt work will be completed by the end of this fiscal year by a contractor. This is from a \$50,000.00 grant from the County.

Notes:

- 4) Central Park Gazebo: Wood repair will be completed the week of 9/2/2024. The painting contractor is scheduled for the week of 9/9/2024.

Notes:

- 5) Re-surface of MLK Pool: City Attorney's office is reviewing the contract. We will be presenting the contractor with the contract the week of 9/9/2024. We hope to push the start of this into late October/early November as pool usage is high with all our existing swim teams. These funds have been rolled over to FY25.

Notes:

- 6) Atlantic Recreation Center, women's locker room renovation is nearing completion. Our goal is to complete this project prior to September 20th. We will transition to the men's locker room following completion of women's side.

Notes:

- 7) Parks and Recreation Staff will be meeting with the Pétanque Leaders to begin the process of upgrading the existing courts at Central Park. Our goal is to have this project completed in the next six weeks.

Notes:

- 8) Upcoming items for City Commission approval:
 - a. Beach walkover/Carpentry Contract: Boardwalk repair for FY25
 - b. Co-Sponsorship of Special Events: Approval of nine events the City will Co-Sponsor for FY25.
 - c. Parks Comfort Station Cleaning: Extending contract for FY25
 - d. Fertilizer and Chemical application to our sports fields: Contract for FY25 to maintain the expected standards of our sports fields.
 - e. Special events Guidelines: Approval of the new guidelines.
 - f. Peck lease renewals: Approve the extension of three expiring leases.

Notes:

9) Positions:

- a. Recreation Coordinator (1): Available Position
- b. Maintenance Technician (1): Available Position

Notes:

10) Upcoming Special Events:

- a. Endless Summer Watermelon Ride / Sept 15th / Various Roads
- b. Micah's Place Event/Beach Walk / Sept 21st / Main Beach
- c. Al Tavern Oktoberfest / Sept 21st / AIBC
- d. Glow up Festival / Sept 28th / Central Park
- e. Sounds on Centre / October 4th / Centre Street Downtown
- f. Island Hop / October 5th / Central Park

Notes:

- 11) Next PRAC meeting is October 8th.