

# **Business Impact Estimate**

*NOTE: This form should be completed and posted on the City Website no later than the date of newspaper publication of ordinance adoption (i.e., second reading) and included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City's website by the time notice of the proposed ordinance is published.*

Proposed ordinance's title/reference:

**Second Reading of an Ordinance Amending Sections of the Public Art Advisory Committee, Community Services Advisory Board, Public Art, and the Design Review Board.**

**An Ordinance Relating to Public Art Dissolving the Public Art Advisory Committee and Reassigning Its Duties to the Community Services Advisory Board: 1) Amending Sections 46-42(D) and (H) of Article II Administrative Procedures of Chapter 46 Administration, Procedures and Enforcement, to Transfer Duties and Responsibilities From the Public Art Advisory Committee to the Community Services Advisory Board; 2) Removing Sections 2-581 to 2-584 of Division 9 of Article V Boards, Commissions and Committees of Chapter 2 Administration, to Dissolve the Public Art Advisory Committee; 3) Amending Section 2-503 of Division 5 Community Services Advisory Board of Article V Boards, Commissions and Committees of Chapter 2 Administration to Add Duties and Responsibilities Related to Review of Public Art to the Community Services Advisory Board; 4) Amending Section 2-476(C)(2)(I) of Division 4 Design Review Board of Article V Boards, Commissions and Committees of Chapter 2 Administration to Substitute the Community Services Advisory Board to Replace the Public Art Advisory Committee; and 5) Providing for Conflict, Severability Clause, Repealer, and an Effective Date.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law<sup>1</sup> for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;

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<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.

- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
  - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

**The Public Art Advisory Committee was formed to advise the City Council on matters dealing with the dollar for art program as well as to develop for City Council approval guidelines, policies, and procedures for the acquisition of public artwork in the city either through loan, donation, or purchase. The committee also assist the City Council by receiving public input, providing technical advice, and making recommendations for the matters within the committee’s jurisdiction and duties.**

**During the September 18<sup>th</sup> City Council Special Meeting it was determined to dissolve the Public Art Advisory Committee (PAAC) and shift the responsible tasks to the Community Services Advisory Committee (CSAB). Currently public art items that are required for new development must go to the Design Review Board (DRB) prior to coming to the PAAC, and items in parks and open spaces must go to the CSAB. Due to the lack of attendance of board members and the consistent vacancies on the PAAC it was determined the best direction was to eliminate the PAAC to provide stability and efficiency.**

**The next action is to amend the ordinances for the PAAC, Public Art, DRB, and CSAB to reflect the new direction and reassign tasks. Moving forward the CSAB will assume the responsibilities of the PAAC, and the DRB will continue to initiate public art from the private development side. The public art fund will continue and be managed by the CSAB. The PAAC will be dissolved.**

**On October 4, 2023, the City Council approved the 1<sup>st</sup> Reading with emphasis that the DRB will handle approving private development related art through their process. Once approved at the DRB level it will then go to City Council for final**

**approval. The CSAB will administer public art in parks and open spaces. The public art fund will be managed by the CSAB if a developer selects to donate into that fund instead of putting in artwork during development. The goal is to prevent overlap and become more efficient with the process.**

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur:

**No new direct compliance costs are proposed in this Ordinance.**

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible:

**No new Charges or Fees are proposed in this Ordinance.**

(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

**No new regulatory costs, including estimated revenues from any new charges or fees to cover such costs are included in this Ordinance.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

**All applicants seeking new development and/or requesting to add public art on private property or public spaces within the corporate city limits of Naples.**

4. Additional information the governing body deems useful (if any):

**N/A**