



## Legislation Details (With Text)

**File #:** RES. NO. 2022-R-31 **Version:** 1 **Name:**

**Type:** Resolution **Status:** Agenda Ready

**File created:** 4/19/2022 **In control:** City Commission Regular Meeting

**On agenda:** 6/28/2022 **Final action:** 6/28/2022

**Title:** A Resolution of the City of North Port, Florida, Amending the Non-District Budget and Capital Improvement Budget for Fiscal Year 2021-22 for Myakkahatchee Creek Greenway Trail Project P10MCG in the Amount of \$319,400 and for the First Floor Lobby Piece of Art in the Amount of \$1,750; Providing for Findings; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Resolution - Second Reading, 2. Resolution - First Reading, 3. Resolution - Strike Thru Version, 4. CIP Detail Sheet, 5. Legal Request

Date	Ver.	Action By	Action	Result
6/28/2022	1	City Commission Regular Meeting	adopted	Pass
6/7/2022	1	City Commission Regular Meeting	adopted	Pass
6/7/2022	1	City Commission Regular Meeting		
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**TO:** Honorable Mayor & Members of the North Port Commission

**FROM:** A. Jerome Fletcher II, ICMA-CM, City Manager

**TITLE:** A Resolution of the City of North Port, Florida, Amending the Non-District Budget and Capital Improvement Budget for Fiscal Year 2021-22 for Myakkahatchee Creek Greenway Trail Project P10MCG in the Amount of \$319,400 and for the First Floor Lobby Piece of Art in the Amount of \$1,750; Providing for Findings; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

### Recommended Action

Approve Resolution No. 2022-R-31 move to second reading on June 28, 2022.

### Recommended Action on Second Reading

Adopt Resolution No. 2022-R-31 as amended.

### Background Information

The Myakkahatchee Creek Environmental Trail Project is part of the Myakkahatchee Creek Greenway Master Plan. This one-mile trail spanning between Appomattox Boulevard and West Price Boulevard supports the linear park concept and will increase recreational opportunities for citizens, and encourage physical activity. The RFB for construction of this trail

was advertised on February 18, 2022, and closed on March 25, 2022, with four bids received. These bids ranged from \$1,908,812 to \$2,760,551 for the base bid without any alternate items. All four bids submitted exceeded the approved available project budget of \$1,722,412 (Note: Included a developer's contribution of \$141,646). The low bidder, who has been deemed responsive, is \$186,400 in excess of the total project budget. To move forward with the project and include a 7% contingency, an additional \$319,400 will be needed. This project is currently funded primarily via surtax with a small amount of impact fees. This additional funding will be drawn from the current fund balance of Parks and Recreation Impact Fees

During the City Commission Regular Meeting on March 8, 2022, the Commission unanimously approved a concept for a mural on the back wall of the Customer Care Center on the first floor of City Hall. Staff reviewed the location with the artist and Facilities Maintenance and determined that due to potential future expansion of the Customer Care Center, it would be prudent to paint the proposed mural on canvas, so it could safely and easily be moved and reinstalled should future renovations take place. The proposed budget amendment of \$1,750 is for the purchase of a large, custom artist's canvas (48" tall by 144" wide) to fit in the space designated. As indicated during the March 8, 2022, Commission Meeting, the artist will donate his time and skills to complete the mural and the North Port Art Center will donate the paint and other materials required. The current balance in the Public Arts account is \$118,731 as of May 17, 2022.

### **Changes on Second Reading**

During the first reading on June 7, 2022, discussion ensued regarding the concern that at a prior Commission Meeting, the Commission made a motion to approve Mr. Kelly's concept for a mural on the back wall of the Customer Care Center on the first floor of City Hall. As such, the Commission asked Assistant City Attorney Golen to provide guidance on the appropriate action to be taken since Resolution No. 2022-R-31 included the reference of a mural painted on canvas rather than a mural painted on a wall. Assistant City Attorney Golen said that during the first reading of Resolution 2022-R-31, the Commission could make a motion to change the word mural to a piece of art in Resolution No. 2022-R-31. Staff would then make this change prior to the second reading. Accordingly, a motion was made in light of the new information to direct the City Manager to work with the Art Advisory Board Chairman to create a piece of art on the back wall of the first floor depicting the Sandhill Crane work he proposed. The motion was approved unanimously.

"Mural" was changed to "piece of art" in the Resolution No. 2022-R-31.

### **Strategic Plan**

Quality of Life

### **Financial Impact**

- \$319,400 will be added to Project P10MCG from Parks and Recreation Impact Fee fund balance.
- \$1,750 will be taken from the Public Arts account in the General Fund, fund balance.

### **Procurement**

Not applicable.

### **Attachments:**

1. Resolution No. 2022-R-31 for Second Reading
2. Resolution No. 2022-R-31
3. Resolution No. 2022-R-31 - Strikethrough and Underline
4. CIP Detail Sheet
5. Legal Request

**Prepared by:** Lisa Herrmann, Budget Administrator

**Department Director:** Kimberly Williams, Finance Director