



## Legislation Details (With Text)

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**Title:** Discussion and Possible Action Regarding City Commission Previous Action Relating to the Placement of Artwork Near Walgreen's in Heron Creek and Possible Direction Related to the Associated Recommendation From the Art Advisory Board for Artwork.

**Sponsors:**

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**Attachments:** 1. 2021-03-02 City Commission Regular Meeting Minutes, 2. 2021-12-14 City Commission Regular Meeting Minutes, 3. 2022-04-11 Memorandum to City Commission, 4. 2022-11-08 City Commission Regular Meeting Minutes, 5. 2023-05-09 Art Advisory Board Meeting Minutes, 6. 2023-12-19 Art Advisory Board Meeting Minutes, 7. Halligan Proposal, 8. Location Map for Art Sculpture

Date	Ver.	Action By	Action	Result
3/26/2024	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, MPA, City Manager

**TITLE:** Discussion and Possible Action Regarding the City Commission Previous Action Relating to the Placement of Artwork Near Walgreens in Heron Creek and Possible Direction Related to the Associated Recommendation From the Art Advisory Board for Artwork.

### Recommended Action

Commission to reconsider previous action regarding the placement of artwork near Walgreens in Heron Creek and possible direction related to the associated recommendation from the Art Advisory Board for artwork.

### Background Information

The following provides a chronological order of events regarding the placement of artwork near Walgreens in Heron Creek:

- March 2, 2021: During the City Commission Regular Meeting on March 2, 2021, the Commission approved the following consensuses:
  - ✓ Consensus No. 1: Direct staff to remove the Roseate Spoonbill Sculpture and to store it pending further Commission discussion.

- ✓ Consensus No. 2: Direct the Art Advisory Board to provide options for a sturdy, low maintenance, and more visible replacement art structure at Walgreens on the corner of Price and Sumter Boulevard.
- December 14, 2021: During the City Commission Regular Meeting, the Art Advisory Board presented a piece of art entitled "Future Fish" to the Commission for their review and consideration after receiving 14 submissions through a call for artists. Subsequent to the presentation, the Commission approved the following motion as amended:
  - ✓ Motion: Direct the City Manager and City Attorney to review the legalities of removing and replacing artwork at this location and task the Art Advisory Board to review materials and focus on low maintenance art to be placed at the same location and the artwork be oriented to provide maximum visibility of the piece from the intersection.
- April 11, 2022: City Attorney Slayton provided the Commission with an update via memorandum regarding the legalities of removing and replacing artwork near Walgreens in Heron Creek. It was determined that the City may consider other locations within the designated key intersection of Sumter and Price Boulevards for placement of public art. Any new proposal for placement requires the Heron Creek developer's approval. The property owner's approval is also required for legal access on private property and is best documented in the form of an ingress and egress easement granting the City permission to install and maintain the public art.
- November 8, 2022: During the City Commission Regular Meeting, the Commission approved the following motions:
  - ✓ Motion No. 1: Direct staff to display the Roseate Spoonbill on the second floor arched out section facing the front lobby.
  - ✓ Motion No. 2: Use the Art fund to fund the placement of the spoonbill.
- May 9, 2023: During the Art Advisory Board Meeting, Mike Halligan, local artist, presented an overview of a sculpture proposal to be placed at the Walgreens on the corner of Price and Sumter Boulevard. The proposed piece would be created through the utilization of salvaged materials from Hurricane Ian symbolizing the strength of the North Port community rebuilding in light of tragedy. Materials include a solid log of either mahogany or eucalyptus (recovered in North Port following Hurricane Ian) mounted vertically to a thick aluminum base bolted in the ground. At the top of the log, aluminum will be used to create flowing metal hibiscus flowers. A bronze plaque providing the meaning behind the artwork will be included. The wood will be coated fully with specially formulated outdoor epoxy and all of the aluminum will be anodized to protect it from the elements.
- December 19, 2023: During the Art Advisory Board Meeting, and subsequent to receiving additional supporting information from the artist, the Board made the following motion:
  - ✓ Motion: Recommend to submit the project to Commission for approval.

The completion of this piece would take place at Halligan Design Production Company and be transported to the applicable location when the piece is ready for installation.
- January 2024: Parks and Recreation staff continuing with due diligence reached out to Development Services staff requesting a review of the project file to ascertain if there was documentation from the property owner granting access to the property to support installation and ongoing maintenance. Development Services staff was unable to locate any documentation and confirmed that an approved or adopted easement was not on file. Additionally, it has been confirmed that the subject property was sold in 2004 and again in 2023 and is not under the ownership of the Heron Creek developer.
- February 14, 2024: Public Works staff suggested a parcel of property owned by the City and located near the entrance to the Myakkahatchee Creek Greenway Trail along Price Boulevard, adjacent to Butler Park and the Heron Creek development. (See attached location maps).
- February 20, 2024: In response to a request for review of the proposed sculpture, City staff received communication from Mr. Ron York, Development Manager for Heron Creek Town Center, indicating that he agreed to the art sculpture being proposed by the Art Advisory Board. He also agreed to relocate the art sculpture

to the proposed parcel near the Myakkahatchee Creek Greenway Trail along Price Boulevard. In addition, staff connected with artist Mike Halligan and he confirmed support for the proposed new location of the artwork.

Based on this information, staff is requesting Commission revisit the previous direction related to the location of the artwork and provide direction related to the Art Advisory Board's recommendation for artwork.

### **Strategic Plan**

Quality of Life

### **Financial Impact**

Per the proposal submitted, the cost for Mr. Halligan's services is \$41,550 which includes the costs of materials, labor, installation, and bronze plaque. Mr. Halligan is requesting a deposit of \$24,930.00 prior to beginning work. An additional \$3,450 is being requested by staff as contingency for any unanticipated expenses associated with the project. As of January 31, 2024, the current accumulated balance in the accounts related to Public Art #001-0000-324-62-05 (a.k.a. the 'Art Fund') is \$196,521.31. Upon approval of this item, staff will work with Public Works Facility Maintenance and Finance to request a budget amendment allocating funds to account 001-0760-573-67-00 for the approved project expenses.

### **Procurement**

The art services being procured are exempt from competition pursuant to Sec. 2-403 (a)(3)e of the City Procurement Code. Applicable forms will be submitted to Procurement pending project approval.

#### **Attachments:**

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**Prepared by:** Sandy Pfundheller, Director

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