

MINUTES
CITY OF FORT MYERS
PUBLIC ART COMMITTEE
March 15, 2022

The Public Art Committee of the City of Fort Myers, Florida, met in regular session at Oscar M. Corbin Jr. City Hall, 2200 Second Street, its regular meeting place in the City of Fort Myers, FL, on Tuesday, March 15, 2022, at 4:00 p.m. Present were: Carolyn Gora, Chair, presiding, Committee Members, Bettye Middlebrooks, Leila Mesdaghi, Molly Deckart (Arrived at 4:13 p.m.), and Ava Roeder. Also present were Councilmember Bochette (Arrived at 4:30 p.m.), Tom Hall, Art Consultant, Donna Lovejoy, Assistant Director Public Works, Jose Parrilla, Parks Interim Manager, and Reva Daly, Public Works Fiscal Coordinator. Absent: William Taylor, Victor Dotres and David Meo.

CALL TO ORDER

Chair Gora called the meeting to order at 4:03 p.m.

PLEDGE OF ALLEGIANCE

Chair Gora led the Pledge of Allegiance to the Flag.

ROLL CALL - Taken by Reva Daly.

PUBLIC COMMENT – None.

REGULAR ITEMS

1. Approval of February 15, 2022, Minutes

MOTION: Committee member Roeder moved to approve the minutes of the February 15, 2022, meeting; seconded by Committee member Middlebrooks; motion carried 4-0.

2. Input from Councilmember Bochette, City Council Liaison, (Ward Four)

Councilmember Bochette spoke on a contingency plan that he has on the next City Council agenda per chance that there is a financial calamity with what's going on in Europe. He noted that he thought every committee should plan ahead on how it could affect them and be prepared for the what ifs. He noted that police have a hurricane plan and fire have a plan, but we don't have a financial crisis plan. He noted he brought it to the committee, because it will affect every committee if a financial crisis arises. Chair Gora noted that would be part of our master plan. Councilmember Bochette stated that the art committee is one of the most forward-thinking committees, but they are probably the most vulnerable committee, because they're the first place that funding gets cut. Mr. Hall stated that he was exactly right because he's had that conversation with all the theater companies and in double digit inflation times especially with gas prices being what they are one of the first places that people cut discretionary spending is the arts. Committee member Deckart noted that as a committee they should probably commit to maintaining all of the public art from a monetary standpoint and then scraping the

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other stuff. She continued to state to just maintain what we have, so we're not in a corrective maintenance position that puts us in a really bad spot. Councilmember Bochette noted that it was a good point, because sometimes you end up paying more for not maintaining it. Chair Gora noted that they wouldn't have more Calls to Artists if there's no building and that it is a domino effect. Councilmember Bochette stated that maybe things won't change, but at least we would be prepared when it does. Councilmember Bochette also noted that he spoke with the City's PIO on creating a cultural program for the city and for the committee to keep thinking broader on how we can draw in more of the arts, theater and music, so we can start acting like a bigger city. Councilmember Bochette asked Mr. Hall about major companies that rent sculptures out on tour. Mr. Hall noted that it was a function of dollars to bring an exhibition here for a year. He said the problem was the public art fund doesn't have that kind of money, so yes there are traveling exhibitions or art, but there is usually a fee. Mr. Hall noted they were working with the Sidney and Burne Davis Art Center to start a temporary art program, so there may be an opportunity there to bring some artworks along first street and certainly in the median by Hendry. Councilmember Bochette spoke on relooking at the amphitheater contract, because right now the lessee gets all the income. Legal is going to look at that contract, and Councilmember Bochette is going to recommend that we sequester those funds and if a portion of it could go back to cultural programming, because the biggest thing that we are trying to do right now is looking for new sources of revenue. Committee member Deckart noted that there are some solid public private partnerships that other art committees and cities have done across the country that she thought maybe worth looking at too. That is public art in private spaces that comingle. She referred to the Alliance that even though it's a nonprofit, there's ten acres there and so where a city and nonprofit investment come together to benefit the community, she thought that there isn't any shortage of new businesses that are coming in and building that wouldn't put some skin in the game financially to see some of these things. Councilmember Bochette noted that they want to have a Chair's meeting with all the committees. Mr. Hall asked Councilmember Bochette if he should meet with him to discuss the river basin, because there is an opportunity for 52 pieces of art, it's just simply a question of determining what art and how much we can afford to spend on it. Councilmember Bochette spoke on the yacht basin RFP with some serious investors, and should they be awarded this project, get something together to recommend to the city manager to end the negotiations of whoever is chosen to ask them for public art, so the yacht basin becomes an enjoyable stroll. Committee member Roeder noted that it just seems like a natural thing to do to make a riverwalk. Councilmember Bochette spoke on the hiring of a new assistant City Manager and that he came from Sarasota. He asked Mr. Hall if they were still trying to get on the school boards schedule to discuss Otocast. Mr. Hall replied yes, and they are still looking at the request, but they have not given us a date. He asked how specific do we need to be and what is our timeline as far as providing something for the city manager to consider in reference to the yacht basin. Councilmember Bochette noted that the RFP proposals are in and now they'll start scheduling hearings with them, and it would be good to let them know that this

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committee is recommending that in the corporation of their proposal there be some financial considerations for aesthetics, reason being the quality of that property and the surrounding areas and so they should try to get that done within two weeks. Committee member Deckart asked how come this is not a city push to already include in these RFP's a percentage. Chair Gora noted that Mayor Humphreys used to push it and they have to have somebody who is vocal and supports it. She noted that we have it on the books that we can get up to one percent that can go to art, but that is only on CIP's. Councilmember Bochette suggested a meeting with the legal department. Committee member Roeder thought an art and cultural administrator that is dedicated entirely to art and cultural, overlapping with parks and green space, all in one. Councilmember Bochette noted that the environmental committee will help quite a bit too, because it takes in the quality of life in a community. He noted the push has got to come out of a committee or it's got to have people speaking in favor of it. He spoke on the importance of a Chair's meeting to get the committees together and share some ideas, because if one committee comes and supports it and the other one backs them up and says wait a minute you've got the best and the brightest in the community who agree they want this done.

3. Update from Jose Parrilla, Parks & Beautification

Jose Parrilla, Parks Interim Manager noted that they did some repairs to the Tootie McGregor feature in December and put a new pump in over at Wes Knott off of US 41. He also noted that they did some patch work and painted the Florida Panthers over on the Monroe median. He added that Rachel at the Well was drained, cleaned and that they will fill it, so then they are back to normal. Committee member Roeder asked Mr. Parilla if they had Rosa Lowinger do the work. Jose replied that Rosa Lowinger worked on the statues and the work on the water pumps is done in-house. Committee member Roeder noted that she noticed that there isn't any water in Marks and Brands in front of the library. Mr. Parilla noted that was County, but that he could reach out to them to see what was going on.

4. Implementation of Art Hub Plan

Tom Hall, Art Consultant presented a power point presentation on the City of Fort Myers Art Hub Plan following the redistricting of the wards. He began his presentation and noted that the population has increased 38.7% necessitating the redrawing of the boundaries of the City's six wards and on January 31st, 2022, City Council approved a new ward map that changed some of the boundaries and some of that effects our art hub plan. Mr. Hall went over each ward. Ward one remains unchanged and ward two, two of the Carmona sculptures artworks are already in place. He showed pictures of some murals that were painted on a wall at the Urban Community Farm. He noted that one change that happened in the redistricting is that Forum Park which used to be in ward six is now part of ward two. Mr. Hall noted that Forum Park is now supposed to get Nostalgia and that would be the third and final of the Carmona sculptures that's allocated to ward two, so wards one and two are complete. He spoke on the change to

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McCollum Hall and that it is now in ward one, but since ward one has already received its three Carmona sculptures there would be no Carmona sculptures that would be moved to McCollum Hall pursuant to our art hub plan, unless this committee votes to change the plan and maybe take away a work from ward four and put it out at McCollum Hall. Mr. Hall noted that Reva Development Corporation that was going to rehab and repurpose McCollum Hall backed out of that deal and the CRA is looking for a replacement company. He noted that ward three and ward four remained unchanged as well. Mr. Hall stated that two artworks that are dedicated to ward four that we have not chosen a location for yet is the Snow Cone Vendor and Two Drunks on a Park Bench, but they have been out at the nursery for quite some time. Mr. Hall spoke on ward five and the public art loan agreement with the City and the Alliance that is scheduled to be considered by City Council on March 21st, as is the agreement with the Edison Ford Estates. The three sculptures that have been allocated to ward six really don't have a home in ward six. Mr. Hall noted that Chair Gora and he had a meeting with Councilperson Darla Bonk, and she was concern about whether or not ward six would lose its artworks. They reassured her that those artworks are allocated to ward six. Councilmember Bonk had suggested that we could possibly move one or more of the artworks to fire station five and she was also hoping that we could put artwork out at the east water storage tank, which is off of Treeline. Donna Lovejoy, Assistant Director of Public Works noted that was an unacceptable spot, because that's part of our water system and it is a safety reason for not allowing people into that location and that it will be fenced off with no access to it. Mr. Hall noted that both those locations are problematic in that they are really not art hubs as defined by our annual plan, which is namely a location that is already or which is intended to become either a cultural, business or residential destination. Mr. Hall will have to communicate to councilperson Bonk that neither of those locations are going to be feasible, but that still begs the question in terms of where they can be located. Mr. Hall noted that it could be a private location, because we are entering into Public Art Loan agreements with some private concerns, and we would still want it to qualify as an art hub location. Mr. Hall asked Committee member Mesdaghi, ward six representative to give some thought and drive and look for potential sites and then report back to the committee. Committee member Roeder noted that she doesn't think that they should force a sculpture to fit somewhere just because we don't have one in that ward, or we don't have enough in the ward. Mr. Hall noted that if there is a place that we can find in ward six to accommodate the sculptures great, but if there's not it is probably not wise to force it and if that's the case it's just going to require the committee to amend its art hub plan.

5. Status of Forum Park, Mickael Broth Rise Above Project

Tom Hall, Art Consultant noted that he received Mickael Broths executed contract which he delivered to City Hall. There was a missing exhibit, so Mr. Hall reached out to Mr. Broth and he sent him the information. He noted that has been green sheeted for the April 4th, City Council meeting. Mr. Hall asked if the site would be ready by the end of the year. Donna Lovejoy, Assistant Director of Public Works noted that it would not be.

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Mr. Hall noted that presents a challenge, because the contract requires the city to have the site ready to accept the artwork within six months of Mr. Broths first payment, which will be made somewhere around June to July. Ms. Lovejoy asked if we have to bring the contract forward now or if it can be delayed. Mr. Hall noted that one solution would be to delay the contract, the other is to go back and negotiate a longer time frame. Ms. Lovejoy noted that phase of the park is not budgeted and it's a future park. She stated that they were almost done with the first section which is the exercise equipment, but they were waiting on the delivery of the pavilion and delivery of all kinds equipment that are on long delays. She noted that they can't start on the construction portion of phase two until it gets budgeted in October and that's if it gets budgeted. Mr. Hall asked Ms. Lovejoy who should make the call, is this a Grant Alley legal question in terms of whether we delay getting approval of the contract or go back and renegotiate a longer build out or is it a city staff decision. Ms. Lovejoy stated she was concerned that if you are going to negotiate a longer time frame and you make it a year, we are not in the position to tell you that can be done in a year. She noted that she would go back and talk to Richard Moulton and get his opinion on it and then we can bring Grant in, if necessary and do a legal request. Mr. Hall suggested that we should take it off City Council's agenda for the fourth. Ms. Lovejoy stated that she was glad that he pointed that out.

6. Status of MLK/VSSB Gateway Artwork, Cecilia Lueza Journey of Hope Project

Tom Hall, Art Consultant noted that he sent the information to legal, and they are in the process of drawing up a contract between the City and Cecilia Lueza. She is aware of that, and she is standing by.

7. Status of Fire Station 17, HaiYing Wu Artwork

Tom Hall, Art Consultant presented a slide show of Haiying Wu's design. He recapped that at the last meeting the selection committee chose the design by Washington State sculptor Haying Wu for fire station 17. Mr. Hall went over a quick summary about Mr. Wu. Mr. Hall showed a picture of his design. He noted that it was modified a little bit from what the selection committee originally looked at. His original design depicted a fire fighter walking to a fire with a hose on his shoulder and striking past a broken wall. He noted following the committee's decision and the committee's request the artist was asked and he did modify his design to three particulars. Number one he would lower the overall height of the installation from 12 to 10 feet. The second thing he did was he removed the hose from the firefighter's shoulder and has him holding a fire nozzle instead. Then he adjusted the attitude of the forward leg a little bit to make it a little less exaggerated. The location of the artwork to the site would be on the south side of the flagpole which is near the walkway into the main entrance. Mr. Hall shared construction site photos showing the location of the flagpole in comparison to the entrance. When he originally presented his plan there was no lighting planned. He has added a lighting plan, but he gave no details as to the type of light fixtures he would use and whether he needed in ground outlets or if it was going to be some kind of a photo

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electric sensor. Mr. Hall reminded the committee that the next step is for us to recommend it to City Council for their approval, and they can approve or reject it. If approved, then legal prepares a formal contract and then Mr. Wu begins the execution of the design. Mr. Hall continued if that were to occur, we would still be looking at fabrication and installation between February and April 2023. Mr. Hall noted that deputy Chief Hayden is still opposed to this design. Mr. Hall read an e-mail of Chief Hayden's comments on the design. Mr. Hall anticipated that deputy Chief Hayden would voice his opposition and then it is up to City Council in terms of whether they want to accept or reject the committee's recommendation. Committee member Deckart noted that the metric of scale and scope that we vote on somehow it devolves and if there is a way that we as a committee can clean up some of this language and set more of an expectation going forward of how this is going to go. Chair Gora mentioned that is the next item on the agenda. Donna Lovejoy, Assistant Director of Public Works suggested that in the future they might walk away from it and come back and make the decision. Ms. Lovejoy noted that Chief Hayden is an employee of the city of Fort Myers and while he was a member of your committee, he is representing his comments as a member of your committee that was making these decisions not on behalf of the City of Fort Myers. Chair Gora noted that he may come to the meeting on April 4th, and he may explain his opinions and that could be where it may not be accepted by the Council. Committee member Roeder noted that when you read through the process of selection there is a sentence or two that if we do not agree on any of them as a total committee, we can start the process all over again. Mr. Hall stated they were very careful to include in the Call to Artist a couple of stop gap measures, that was one of them. Chair Gora asked if that is what happens do we have to find \$1,500, we have to be able to give them something that is going to come out of the budget. Mr. Hall noted that the next time what you would do is reduce the amount of the contract to \$48,500. The committee discussed the transportation costs of the artwork. Mr. Hall noted that they are working on the master plan, and this is the type of stuff that should be considered and now that we've had three recent calls, we've got a little bit more experience and we know what the issues are.

8. Discussion of Weight to be given to Stakeholders Selection Committee

Tom Hall, Art Consultant questioned that when impaneling stakeholders on the selection committee how much deference should be given to their opinion during the selection process. Committee member Roeder noted all the other things that we run into, like should we wait until the park is finished before we make the call, or should we watch to see what the building looks like before we make the call. Mr. Hall noted that in all fairness on the park, when we decided to go forward with that call, we were operating on the assumption that part of the park was going to be done first and the other sections later. That got changed through no fault of the committees, but yes, he thought that this particular call brings to light whether or not we should be operating off of building plans and a site plan as opposed to waiting until the building to be actually in existence so that we can see the site and have a better feel for where the

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artwork might be best displayed. He thought that the other thing that is totally up for discussion by the committee is, should we be making our decision right after the presentation of the three designs or should we give it a period of time and then come back and make the vote on another day. The other problem is how long do you wait and how much does your memory fade between the presentation of the designs and your actual vote. Committee member Deckart asked why stakeholders have a vote. Committee member Deckart suggested to maybe have a presentation where they can voice their opinions, but not an actual vote. Mr. Hall stated that may be the actual solution to the problem and that is not to impanel stakeholders as the selection committee. You can ask them for their opinion, but basically, it's nonbinding. Ms. Lovejoy noted that when the City solicits for projects, they invite some people to participate, but they do not get the right to vote. Mr. Hall stated that maybe the solution is to build into the process is that after the presentations are completed, we then give stakeholders an opportunity to voice their opinions and then after those opinions have been elicited the committee then votes. Committee member Roeder noted that it wouldn't hurt for us to reach out and ask other City's about it. Mr. Hall noted that the FAPAP conference is coming up. Committee member Roeder suggested to see how they resolve these issues. Mr. Hall noted that the Florida Association of Public Art Professionals has an annual conference that is scheduled for the last week in April in Sarasota. He stated that it is an opportunity to network with a whole bunch of other public art professionals and public art administrators, so what he will do then is take the committees comments and the master plan and get their input and come up with some decisions. Ms. Lovejoy suggested they could set up a chart that provides different points for the different things that you ask for. Then at least you have a mathematical way of looking at it and then you will have some documentation for your votes. She noted that at least it gives you an interpretation that you can look at and say okay here is a quantified amount, that is basically CCNA rules which govern Florida purchasing.

9. Discussion of USCT Second Regiment Monument

Tom Hall, Art Consultant asked if the decision has been made to lift and turn the USCT Second Regiment Monument around. Jose Parilla, Parks Interim Manager noted that it is going to be turned around the last he heard. Mr. Hall spoke on when the USCT Second Regiment Monument was moved it turned to face the river and you see the back of the sculpture, so you really don't know what it is. Chair Gora noted that it is facing the path. Mr. Hall replied that is not the way that the black members of the black community see it. Committee member Mesdaghi noted she heard complaints about it firsthand. Mr. Parilla noted that they are going to turn it around where there won't be a sidewalk behind it. Mr. Hall noted that it could still be incorporated into a riverwalk, it's just that the orientation of it will be facing the south. Mr. Hall stated there is some work that needs to be done to the sculpture, but obviously there is no point in discussing that. He stated that we had talked about etching or incising the names of the soldiers who served in companies DNI on the back of the sculpture, but if it's going to be facing the mangroves there's probably no point in that.

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10. Update on Otocast and Review of New Audio Scripts

Tom Hall, Art Consultant noted that Councilperson Bochette suggested collaborating with Historic Preservation to add up to 40 historic points of interest to Otocast, so that ultimately in addition to our 40 artistic points of interest, they'll be 40 historic points of interest that people can go look at, learn about and not only read texts, but listen to audios and see historic photographs. Mr. Hall stated that in order to move that project along he wrote the narratives, chose some photographs and wrote the audio scripts for nine historic points of interest. Mr. Hall noted that the first major stumbling block is that historic preservation has no budget, so consequently they do not have the money to cover the subscription fee to Otocast. Mr. Hall went over what the costs are and discussed finding a public-private partnership to come up with the funding. He noted the second issue is who are they going to empanel in order to do the research to the remaining historic sites. He noted that there is the matter of doing our audios for our own artworks in order to complete our part of the deal and that they don't necessarily have a tie into our community, so the question is how do we make them relevant to the people who are going to see them. Mr. Hall went over tying in the artworks to their new locations. Committee member Mesdaghi noted that she understood that we need to say why this is here, but tying it in, can we go back to the artist and get the statement on the specific pieces and talk about it. Mr. Hall noted that is included in the narrative, so when you read the text, it has the artist statement of what he intended. Mr. Hall asked how much input does the committee want to have in terms of what the audios are going to say and who would like to be a part of that review process. Chair Gora noted that there were three members missing and she thought that there was at least one of them who would be very interested in doing something with this and if it can be brought up next month on our agenda. Mr. Hall stated that specifically what we should put as an agenda item is how much input does the Public Art Committee wish to have on the scripts that are evolved for our artistic points of interest. Chair Gora stated and who would like to review them.

11. Brief Report on Annual Maintenance by Rosa Lowinger & Associates

Tom Hall, Art Consultant took photographs of Uncommon Friends, because the fountain is empty, and it provided a good opportunity to take a look at the items inside the fountain. The fountain required additional maintenance that was not covered by Rosa Lowinger & Associates (RLA) that they just completed. He stated that they were able to maintain a number of the items, but there is still some additional work that needs to be done. Mr. Hall shared photos of the corrosion to the metal rebar that is embedded in the bottom of the fish and is also imbedded in the concrete base. He showed where RLA made repairs and that is why the entire sculpture has to be repainted, which they did not budget enough time for and so they would have to come back and do a second layer of treatment at an additional cost to the committee. Some of the fish have cracks on them and they need some additional work to be done too. He spoke on the subject of whether we want to apply to Historic Preservation for permission to remove the water feature from this particular artwork, because it is located within a historic district,

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historic preservation has the ability to approve or disapprove our request. So the question that needs to be asked, do we continue to maintain this as a fountain and a water feature and do that for the next year on the premise that now that the trees have been removed and it's more prominent next to an amphitheater it may dissuade people from utilizing it as a pool or dissuade people from wanting to hop-sotch across the items in the pond in order to get their pictures taken on the island, or do we just come to the conclusion that no matter what we do there are going to be certain people that continue to interact with the sculpture and then we have to come up with the expense of maintaining it. Chair Gora stated so, we have to go to the Historic Preservation to be able to get permission to do anything to this than what was originally meant to be. Mr. Hall thought they would have to resolve as a committee that we do not wish to maintain this as a fountain and that would trigger our deaccession powers not as to the entire sculpture but as to the items in the pool. Then we would fill out the appropriate request sheet for Historic Preservation and then City staff does research and presents their findings and recommendations to Historic Preservation who then makes the determination in terms of whether we can do this or not. Chair Gora suggested providing the example on how much money the City has paid fixing this thing. Mr. Hall noted that is precisely one of the arguments he would make to Historic Preservation and that the elements in the water feature are not historically accurate. Committee member Roeder noted that didn't Mr. Wilkins agree to do so. Mr. Hall stated that he did before his passing, but unfortunately, we don't have anything in writing to that effect. The committee decided to postpone invoking the deaccession process until all committee members were present. Mr. Hall noted they could invite Genie Wilkins to attend, and they could explore that process.

12. FAPAP Annual Conference, April 26-29, 2022

Tom Hall, Art Consultant noted that the Florida Association of Public Art Professionals has its annual conference April 26th through the 29th and if any committee members were planning to attend to let Mrs. Daly know to see if the registration fee is covered.

13. Upcoming Public Art Committee meeting on Tuesday, April 19, 2022

OTHER

Mr. Hall asked Mr. Ally what the terminology for applying for permission from the Historic Preservation Commission to deaccession the stuff inside the fountain for Uncommon Friends. Grant Ally, City Attorney (arrived at 6:02 p.m.) noted that it was an Application for Certificate of Review. He explained the Application for Certificate of Review, and the process the committee would need to follow to submit one to the Historic Preservation Committee.

ADJOURNMENT

There being no further business, it was moved by Committee member Deckart; seconded by Committee member Roeder; to adjourn the meeting at 6:07 p.m.