

CITY COUNCIL
COMMUNICATION:

03-265

AGENDA:

JUNE 9, 2003

SUBJECT:

CONTRACT
NEGOTIATION WITH
THE GREATER
DES MOINES
COMMUNITY
FOUNDATION FOR
THE PROVISION OF
PUBLIC ART FUNDS

TYPE:

RESOLUTION
ORDINANCE
RECEIVE/FILE

SUBMITTED BY:

ERIC A. ANDERSON
CITY MANAGER

ITEM _____

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

SYNOPSIS —

This action authorizes the City Manager to negotiate a contract with the Greater Des Moines Community Foundation, which would transfer an annual appropriation to the Foundation for Public Art purposes. Upon completion of a contract agreeable to both the Greater Des Moines Community Foundation and the City, outlining the basic tenets below, this action would authorize the Mayor to sign the contract and the Finance Director to transfer funds as authorized in the contract.

FISCAL IMPACT —

Once a contract is approved, the Capital Improvement Program (CIP) appropriation for public art (CPO040/PKS990000/PKS158) for both Fiscal Year (FY) 2003 and FY2004 would be transferred to the Greater Des Moines Community Foundation. The allocation for FY2003 is **\$200,000**. This is the amount of funds allocated to public art in the CIP that have not yet been spent in FY2003. In addition, the **\$200,000** allocation for FY2004 would be transferred. Both of these appropriations have already been approved for the purpose of public art in the current budget.

In the FY2004 CIP, the following allocations have been made for public art in future years. Though these are the allocations that have been planned in the CIP, Council will retain the ability to adjust the City's contribution annually.

FY2005: \$415,000
FY2006: \$415,000
FY2007: \$200,000
FY2008: \$345,000
FY2009: \$350,000

RECOMMENDATION —

Approval.

BACKGROUND —

On October 22, 2001, the City Council established the Public Arts Commission and the Public Arts Program by Ordinance No 14,005. Currently, the 15-member Commission appointed by the City Council serves as an advisory body to the City Council, City Departments, and

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Commissions and Boards regarding the Public Arts Program.

To date, projects recommended by the Public Arts Commission and approved by the City Council include: the Downtown Storefront Public Art Project and the Orchard Place Mural.

In order to leverage more private contributions to public art, it is recommended that the Des Moines Public Arts Commission be eliminated in its current form and that funds allocated for public art purposes be transferred to the Greater Des Moines Community Foundation, which has a greater capacity for fundraising.

In preliminary discussions with the Greater Des Moines Community Foundation, the Foundation has agreed in principle to a partnership with the City of Des Moines for the purpose of public art. While the details of such a partnership need to be further negotiated, there is a broad understanding of what such a partnership would entail. The contract with the Greater Des Moines Community Foundation will consider the following topics:

- Structure of the Program and Governance Issues

Though the contract would require the Greater Des Moines Community Foundation to create a committee to advise the Foundation on public art issues, the substance of the committee would be determined by the Foundation. The structure of the current Public Art Commission could be used as a model.

It is likely that the Vision and Mission of the program would remain the same.

- Specific Duties and Responsibilities of the Foundation and the City

Though the specifics will be negotiated while developing the contract, there will be considerable reporting responsibilities from the Foundation to the City Council outlining the spending of funds and additional donations.

- Funding, Appropriations, and Use of Funding

The City has not previously paid for the administrative staff for the public art program out of the public art allocation. Administrative staff necessary for the program will be paid from this allocation.

With the transfer of funds for FY2003, the Foundation will also be required to address outstanding financial obligations formerly adopted by the City Council for public art purposes.

- Identification of Projects Eligible for Public Art

The definition for public art as it now exists is outlined in Section 82-402 of the Code. Projects funded by the Greater Des Moines Community Foundation may be required to meet this definition and will be required to be located within the City of Des Moines and be accessible to the public. Consideration may be given to local artists.

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- Private Fund Development
- Program Administration and Planning
- Methods of Selecting and Commissioning Professional Artists
- Development of Annual Plan and Determination of Project Budgets
- Community Involvement
- Stakeholder Relations and Communications

The Board of the Greater Des Moines Community Foundation meets next on June 17, 2003. The transfer of funds for public art from the City to the Foundation will be one of the items discussed during this meeting. The Foundation will discuss the broad tenets set by this communication and shortly after staff will begin to draft the contract.

If Council approves this item, Rick Clark, Deputy City Manager, will meet with the existing Public Art Commission at their next meeting on June 11, 2003 to discuss the changes.

