

Agenda Item:

COUNCIL COMMUNICATION
City Manager's Office

GENERAL INFORMATION—

Agenda Date: 1/12/04
04-015

Communication No.:

Agenda Item Type: Resolution

Roll Call No:

Submitted by: Donald M. Tripp, Park And Recreation Director

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SUBJECT—

Second Amendment To The City Of Des Moines And Friends Of The Des Moines Botanical Center 28E Agreement

SYNOPSIS—

Approval of Second Amendment to the City of Des Moines and Friends of the Des Moines Botanical Center 28E Agreement terminating the Agreement except to retain the Friends responsibility to repay certain salaries owed to the City of Des Moines.

FISCAL IMPACT—

\$16,112 due on or before June 30, 2004 from the Friends.
\$34,539 due on or before June 30, 2005 from the Friends.

RECOMMENDATION—

Approval

BACKGROUND—

On June 17, 2002, by Roll Call No. 02-1548, the City of Des Moines entered into a 28E Agreement with the Friends of the Des Moines Botanical Center establishing an Agreement whereby the Friends would assist the City of Des Moines in raising funds to support programs, services and capital projects at the Des Moines Botanical Center. This Agreement also required

the Friends to pay the City for the past salaries of the Volunteer/Gift Shop Supervisor and Education Curator.

On December 2, 2002, by Roll Call No. 02-2806, the Des Moines City Council approved the First Amendment to the 28E Agreement with the Friends of the Des Moines Botanical Center allowing the Friends to gain sole control and ownership of the Endowment Fund with the provision that the Fund be transferred to the Greater Des Moines Community Foundation.

On December 12, 2003, by Roll Call No. 03-2834, the Des Moines City Council approved a 28E Agreement with the Des Moines Water Works Board of Trustees transferring the management and operations of the Des Moines Botanical Center from the City to the Des Moines Water Works. Due to this transfer of management and operations to the Des Moines Water Works, the Park and Recreation Department staff is recommending that the Second Amendment to the existing 28E Agreement with the Friends of the Des Moines Botanical Center be approved. This action will terminate the existing Agreement but still require the Friends to repay the City, over the next two-years a total of \$50,661 for past salaries due under the previous Agreements.