



**Council
Communication**
Office of the City Manager

Date

April 24, 2006

Agenda Item No. 57

Roll Call No. 06-

Communication No. 06-222

Submitted by: Donald M. Tripp, Park and Recreation Director, and Jeb E. Brewer, P.E., City Engineer

AGENDA HEADING:

Hearing on License Agreement to Edmundson Art Foundation Inc., d/b/a The Des Moines Art Center for installation of underground fiber optic cable from The Des Moines Art Center across Greenwood Park to be used for installation of two video cameras near Greenwood Pond, \$420.

SYNOPSIS:

Recommend approval of a License Agreement to Edmundson Art Foundation, an Iowa non-profit corporation, d/b/a the Des Moines Art Center, (4700 Grand Avenue, Des Moines, Iowa, 50312, Jeff Fleming, Director), for \$420. This agreement will allow for the installation of security cameras in Greenwood Park.

FISCAL IMPACT:

Amount: \$420 (Revenue)

Funding Source: 2006-07 Operating Budget, SP767 PKS161625 Property Maintenance Endowment Fund, Page 350.

ADDITIONAL INFORMATION:

On September 27, 2005, the Park and Recreation Board approved a request from Edmundson Art Foundation, Inc., d/b/a the Des Moines Art Center, to place security cameras at the Mary Miss Project on the pond at Greenwood Park. The security cameras are desired to help prevent vandalism. Their installation requires running a standard television cable underground from the Art Center, around the Rose Garden, and south down a cleared path to the dam side of Greenwood Pond. The Des Moines Art Center needs to obtain a license from the City of Des Moines for the rights to install, use and maintain such cable, pole and cameras on our property.

The term of the license will be for 20 years. If the City determines that the licensed areas are needed for any public purpose incompatible with the continuation of the license, the City may give 60 days notice to the Des Moines Art Center and terminate the license. If the City decides to terminate the license, the consideration of \$420 will be refunded based on the prorated time that the license was in effect. The City of Des Moines will have the right to install, maintain and use additional cameras and/or telephone

equipment on the pole at the City's sole discretion. The use of the cameras placed in the licensed area will be restricted to collect and transmit surveillance of areas in Greenwood Park for security purposes of the Des Moines Art Center's art works. The Des Moines Art Center will be responsible to install the cable in a manner that will not damage trees and shrubs in the licensed areas. Upon completion of the installation, the Art Center will be responsible to restore the area to its original condition.

The Des Moines Art Center has submitted an offer for \$420.00 for the License Agreement, which is equal to the City's estimated Fair Market Value. The easement area contains approximately 15,684 square feet.

PREVIOUS COUNCIL ACTION(S):

Date: April 10, 2006

Roll Call Number: 06-632

Action: Setting Date of Hearing On License Agreement to Edmundson Art Foundation Inc., d/b/a The Des Moines Art Center for installation of underground fiber optic cable from The Des Moines Art Center across Greenwood Park to be used for installation of two video cameras near Greenwood Pond, \$420, (4-24-06). Moved by Hensley to adopt. Motion Carried 6-1.

BOARD/COMMISSION ACTION(S):

Date: September 27, 2005

Roll Call Number: None

Action: The Park and Recreation Board approved a request from Edmundson Art Foundation, Inc., d/b/a the Des Moines Art Center to place security cameras at the Mary Miss Project on the pond at Greenwood Park.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE