



# Council Communication

Office of the City Manager

<b>Date</b>	February 25, 2008
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<b>Agenda Item No.</b>	32
<b>Roll Call No.</b>	<del>08-</del>
<b>Communication No.</b>	<u>08-093</u>
<b>Submitted by: Donald M. Tripp, Parks and Recreation Director</b>	

## AGENDA HEADING:

Approval of an agreement with Edmundson Art Foundation, Inc., d/b/a the Des Moines Art Center and Nationwide Mutual Insurance Company for donation of security services for “Nomade” sculpture at “Western Gateway Park”.

## SYNOPSIS:

Approval of Plensa “Nomade” sculpture Security Sponsorship Agreement between the City of Des Moines, Nationwide-Allied Insurance Companies and The Des Moines Art Center.

## FISCAL IMPACT:

Amount: None

There is no anticipated expense to the City associated with this action. The estimated cost of temporary overnight security during the remainder of the fiscal year if this action does not take place is \$2,500. The City has hired American Security to provide temporary security in the interim of this agreement, so far totaling \$3,248.

Funding Source: FY 2007-2008 Operating Budget, Park and Recreation Department, page 232, Downtown Maintenance, GE001 PKS070300. (Funds for the temporary overnight security provided since installation of the sculpture in December 2007.)

## ADDITIONAL INFORMATION:

On December 17, 2007 by Roll Call Number 07-2427, the City Council approved a License Agreement with Edmundson Art Foundation, Inc. d/b/a The Des Moines Art Center. The agreement provided for immediate installation and maintenance of a sculpture by contemporary artist Jaume Plensa, entitled “Nomade,” at the park located between Grand and Locust Streets from 10<sup>th</sup> to 15<sup>th</sup> Streets, generally referred to as “Western Gateway Park.” Park and Recreation Department staff hired a private security firm to temporarily provide the essential overnight park security at the sculpture site from 10:00 p.m. to 5:00 a.m. daily.

Since that time, staff has been negotiating a Security Sponsorship Agreement between the City of Des Moines, Nationwide-Allied Insurance Companies and The Des Moines Art Center to provide fulltime electronic security coverage and on-site patrols of the site. A copy of the Security Sponsorship Agreement is on file in the City Clerk’s office.

The general terms and conditions set forth in the agreement provide authorization from the City of Des Moines to allow Nationwide-Allied Insurance Companies the right to provide electronic surveillance (video camera) coverage of the “Nomade” sculpture and access to Western Gateway Park during non-park hours as a part of their corporate campus security efforts and protocol. Nationwide-Allied’s Des Moines headquarters building is located on Locust Street directly south of Western Gateway Park. The monitoring and on-site patrols are being provided as a donation to the City of Des Moines and The Des Moines Art Center from Nationwide-Allied Insurance Companies. Nationwide-Allied Insurance Companies has agreed to purchase and install the necessary security camera equipment on the outside of their building, overlooking the sculpture area, at an estimated cost of \$7,500.

In January 2007, John and Mary Pappajohn announced their intention to donate several outdoor sculptures by world-renowned artists to the Des Moines Art Center. The Pappajohn’s donation offers an opportunity for one of the most significant sculpture collections in the United States to be publicly displayed in Des Moines for the enjoyment of residents and visitors to the city. Western Gateway Park is proposed as the site for placement of the art in what would be known as the John and Mary Pappajohn Sculpture Garden. On November 5, 2007 by Roll Call Number 07-2154, the firm of Agrest and Gandelsonas Architects, LLP was contracted to work with the City of Des Moines, as well as the Pappajohns and the Des Moines Art Center, on a schematic design of the park for renovations that would be necessary for the proposed location of the sculpture garden at that site.

The Pappajohns purchased Nomade in December 2007; it was moved to Des Moines and temporarily put on display at Western Gateway Park until approximately November 2008. Following a four-month out-of-state viewing, it is anticipated that the sculpture will be relocated at Western Gateway Park as a sculptural component of the proposed John and Mary Pappajohn Sculpture Garden.

#### **PREVIOUS COUNCIL ACTION(S):**

Date: December 17, 2007

Roll Call Number: [07-2427](#)

Action: License Agreement with Edmundson Art Foundation, Inc. d/b/a The Des Moines Art Center for installation and maintenance of a sculpture entitled Nomade at “Western Gateway Park.” ([Council Communication No. 07-736](#)) Moved by Hensley to adopt. Motion Carried 6-1.

Date: November 5, 2007

Roll Call Number: [07-2154](#)

Action: Professional Services Agreement with Agrest and Gandelsonas Architects, LLP for schematic design of the Pappajohn Sculpture Garden at Western Gateway Park, not to exceed \$132,750 ([Council Communication No. 07-671](#)). Moved by Hensley to adopt. Motion Carried 7-0.

Date: February 26, 2007

Roll Call Number: [07-389](#)

Action: Intergovernmental 28E Operating Agreement with Edmundson Art Foundation, Inc., d/b/a Des Moines Art Center for “Western Gateway” Sculpture Park ([Council Communication No. 07-019](#)). Moved by Hensley to continue to 3-26-07 at 5:00 p.m.; referred to City Manager to report on process for recommendations that come before the Council. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S):**

Date: February 20, 2007

Roll Call Number: 07-019

Action: Park and Recreation Board approved the Art Center Agreement for Western Gateway Park Sculpture Garden. Motion carried 8-0.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Approval of proposed schematic design of Western Gateway Park renovations related to proposed location of John and Mary Pappajohn Sculpture Garden.

Approval of proposed agreement between the City of Des Moines and The Des Moines Art Center for location of the John and Mary Pappajohn sculpture collection at Western Gateway Park

Approval of long-term security agreement between the City of Des Moines, Nationwide-Allied Insurance Companies and The Des Moines Art Center for the proposed John and Mary Pappajohn Sculpture Garden in Western Gateway Park