



Council Communication

Office of the City Manager

Date

August 11, 2008

Agenda Item No. **5E-1**

Roll Call No. **08-**

Communication No. **08-485**

Submitted by: **Donald M. Tripp**

Parks and Recreation Director

AGENDA HEADING:

Approval of agreement between the City of Des Moines; Edmundson Art Foundation, Inc., d/b/a the Des Moines Art Center; and the Greater Des Moines Community Foundation regarding collection and disbursement of funds for art installation, park improvements, and maintenance of the John and Mary Pappajohn Sculpture Park.

SYNOPSIS:

Recommend approval of an agreement that provides for the Greater Des Moines Community Foundation (GD CF) to accept and deposit donations from companies and individuals, which will be disbursed to the City of Des Moines (City) and the Edmundson Art Foundation, Inc., d/b/a the Des Moines Art Center (DMAC), for reimbursement of expenses incurred for the construction of park modifications, installation of sculptures, and future maintenance in the John and Mary Pappajohn Sculpture Park, to be located from 13th to 15th Streets, between Locust Street and Grand Avenue, in the park generally known as Western Gateway Park.

FISCAL IMPACT: NONE

None with this action. This agreement establishes the mechanism for the distribution of private donations to the City and DMAC. It provides that the design, administration and construction of the John and Mary Pappajohn Sculpture Park will flow through the City's public improvement construction and procurement process and that the City will request reimbursement of such expenses from the GD CF. The agreement also provides for funds remaining after construction and installation to be placed in a maintenance fund to provide for increased maintenance of the park relevant to the sculpture installation. A finance committee with representatives from the City and the DMAC will approve reimbursement requests and prioritize reimbursement requests if sufficient funds are not available to reimburse all City and DMAC requests. In the event agreement cannot be reached by this committee, the Des Moines City Council will make final determination of the use of funds.

ADDITIONAL INFORMATION:

In February 2007, the City of Des Moines and the Des Moines Art Center announced that Des Moines philanthropists John and Mary Pappajohn would be donating sixteen significant pieces of sculpture, by fifteen internationally acclaimed modern and contemporary masters, to the Art Center. The donation offers the City an opportunity to showcase one of the most significant collections of art in the United States. This is believed to be the largest single public gift in Des Moines' history and the largest public gift of art in Iowa history. Sotheby's has appraised the sixteen works originally intended for donation at

\$26,110,000; since the appraisal, an additional work valued at \$1.5 million has been purchased for the park, raising this value to \$27,500,000.

Placement was proposed for Western Gateway Park, located between 10th and 15th Streets and Grand and Locust Streets in downtown Des Moines. To best showcase the art in Western Gateway Park, now specifically determined to be located in the portion of the park from 13th to 15th Streets and called the John and Mary Pappajohn Sculpture Park, as well as address important issues of security and maintenance, it is necessary to make infrastructure alterations to the current design of the park. The architectural design firm of Agrest and Gandelsonas, with the support of several local sub-consultants including RDG, has created a schematic design for development in Western Gateway as approved by the Des Moines City Council on November 5, 2007. The grounds of the sculpture park will be sculpted to frame the pieces of artwork; plenty of open green space will remain, allowing people to move around and through the art as well as room for the likely addition of art.

There have been significant opportunities for public input on the proposed sculpture garden. In addition to direct input from the Pappajohns and Des Moines Art Center, meetings have been held with stakeholders who assisted in the development of the original Western Gateway Park. The schematic plan has also been presented to and reviewed by the Urban Design Review Board, Planning and Zoning Commission, and Park and Recreation Boards.

The sculpture park infrastructure improvements project has financial support in the form of grants and donation pledges from private, business, non-profit and public interests and presently totals \$3,760,000. Additionally, efforts are underway as a part of the fundraising campaign to endow the annual operating/maintenance expenses for the artwork and sculpture park in the amount of \$500,000. Several corporate and individual donors have committed and pledged in-kind security and monetary pledges totaling \$2,200,000 to this ongoing funding effort.

The agreement between the City, Des Moines Art Center and Greater Des Moines Community Foundation provides for the collection and distribution of the donated funds for the John and Mary Pappajohn Sculpture Garden improvements and maintenance. General terms and conditions set forth in the Agreement, which is on file in the City Clerk's office, provide for the Greater Des Moines Community Foundation to collect and disperse funds upon approval from both the Des Moines Art Center Director or his designee and the Des Moines Park and Recreation Director or his designee. The designated fund shall be used by both the City and the Des Moines Art Center to complete their specific scope of work; development of the park improvements and installation of the sculptures. Any remaining funds in this account shall be held for the purpose of providing additional improvements for the possible installation of future art in the sculpture garden. In addition to the initial development and installation costs, two separate \$250,000 funds shall be established (one for the City and one for the Des Moines Art Center) to provide on-going maintenance to the John and Mary Pappajohn Sculpture Garden and the sculptures themselves. The fund established for the City shall support additional detail maintenance work within the park around the sculptures.

Project completion is anticipated for summer 2009.

PREVIOUS COUNCIL ACTION(S):

Date: March 24, 2008

Roll Call Number: 08-534

Action: Approving Professional Services Agreement with Agrest and Gandelsonas Architects, LLC, \$271,200. (Council Communication No. 08-172) Moved by Hensley to adopt. Motion Carried 7-0.

Date: March 10, 2008

Roll Call Number: 08-403

Action: Authorization to submit Grant Application to Vision Iowa Board for development of a sculpture garden in “Western Gateway” Park, \$1,950,000. (Council Communication No. 08-133) Moved by Hensley to approve. Motion Carried 7-0.

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: May 7, 2007

Roll Call Number: 07-909

Action: Resolution to close the hearing on Intergovernmental 28E Operating Agreement with Edmundson Art Foundation, Inc., d/b/a Des Moines Art Center for “Western Gateway” Sculpture Park. Moved by Hensley to approve. Motion Carried 7-0.

Date: March 26, 2007

Roll Call Number: 07-588

Action: On Intergovernmental 28E Operating Agreement with Edmundson Art Foundation, Inc., d/b/a Des Moines Art Center for “Western Gateway” Sculpture Park. Moved by Kiernan to continue the public hearing to May 7, 2007 at 5:00 P.M. in the Council Chambers. Motion Carried 6-1. Absent: Coleman.

BOARD/COMMISSION ACTION(S):

Date: February 5, 2008

Roll Call Number: 08-017

Action: Park and Recreation Board approval of schematic design

Date: February 8, 2007

Roll Call Number: 07-016

Action: Park Board received and filed the Art Center agreement for Western Gateway Park Sculpture Garden.

Date: February 21, 2008

Roll Call Number: N/A

Action: Information presentation of the schematic design to the Plan & Zoning Commission.

Date: February 5, 2008 and March 11, 2008

Roll Call Number: N/A

Action: Presentation to and opportunity for comment by the Urban Design Review Board

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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