

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: September 27, 2010
	Agenda Item No. 33 Roll Call No. <u>10-1563</u> Communication No. <u>10-590</u> Submitted by: Donald M. Tripp, Director of Park and Recreation

AGENDA HEADING:

Approval of agreement with Bill Sherman and Creative Edge for installation and donation of Mural on Martin Luther King Jr. Parkway floodwall.

SYNOPSIS:

Staff recommends approval of the installation of a tile wall art project on the new floodwall located along Martin Luther King Jr. Parkway adjacent to Principal Park and the historic Fort Des Moines log cabin.

FISCAL IMPACT:

Amount: \$34,000 – Donations via fundraising and grants have been obtained by Bill Sherman
Breakdown - \$32,000 for purchase of tiles and installation have been secured
\$ 2,000 for maintenance fund to be allocated to the City of Des Moines

Funding Source: Private fundraising and grants received from Bill Sherman

ADDITIONAL INFORMATION:

Mr. Bill Sherman, 3928 Twana Drive, on behalf of the Polk County Historical Society, has proposed placing a Mural on the parking lot side of the floodwall (see attached location map, exhibit A). Bill Sherman (Donor) desires to install and donate to the City of Des Moines a tile wall mural art project entitled “Birthplace of Des Moines” designed by artist Hilda De Bruyne and fabricated and installed by Creative Edge, an Iowa company, for the enjoyment of the public.

Mr. Sherman desires to install the Mural on the south side of the floodwall that the City has constructed within the Right-of-Way along Martin Luther King Jr. Parkway and is adjacent to Principal Park and the historic Fort Des Moines log cabin. The Greater Des Moines Public Art Foundation has determined that the placement of the Mural at this location should proceed. Mr. Sherman acknowledges that the primary function of the Floodwall is to provide protection from flood waters and the Mural site is on the “wet” side of the Floodwall and that the Mural is likely to be exposed to flood waters due to its proximity to the Des Moines and Raccoon Rivers. If Creative Edge needs to temporarily use any of the Principal Park property under lease to Greater Des Moines Baseball Co. for installation, Mr. Sherman and/or Creative Edge will obtain such permission from the Greater Des Moines Baseball Company.

Upon installation and approval of the City Park and Recreation Department Director, the City will become the owner of the Mural and Mr. Sherman desires to provide the City at least \$2,000 maintenance and repair fund of the Mural. The Donor understands that the City shall perform maintenance and repair of the Mural as the City deems to be in the best interests of the public.

The Donor is authorized to install the Mural only in the area of the Floodwall as indicated in exhibit A and that no changes to the Flood wall, including the surface area dedicated for the Mural, may be changed, other than by the use of adhesive for installation of the tiles, without the prior written consent of the City Engineer. All installation work for the Mural shall be completed in accordance with the plans approved by the Park and Recreation Director.

Creative Edge shall complete the placement of the Mural by no later than 2012.

PREVIOUS COUNCIL ACTION(S):

Date: May 10, 2010

Roll Call No. 10-700

Action: [Approving](#) modification to Southeast Connector Floodwall to accommodate future mural placement as proposed by Bill Sherman on behalf of the Polk County Historical Society, City cost, \$2,626. ([Council Communication No. 10-252](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: November 23, 2009

Roll Call No.: 09-2133

Action: [From](#) Bill Sherman, 3928 Twana Drive, to speak on behalf of the Polk County Historical Society regarding proposed art to be placed on parking lot side of floodwall between Principal Park and the extension of ML King Parkway, west of Water Street. Moved by Hensley to receive, file and refer to City Manager to prepare a contract for Council consideration. Motion Carried 7-0.

Date: July 13, 2009

Roll Call No.: 09-1278

Action: [On](#) Southeast Connector Paving – SW 2nd Street to SE 6th Street: Resolution approving plans, specifications, form of contract documents, engineer's estimate and designating lowest responsible bidder as Corell Contractor, Inc., (Grant S. Corell, President), \$6,366,096.13. ([Council Communication No. 09-454](#)) Moved by Meyer to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Date: November 2009

Action: Public Art Foundation approved proposed mural to be located on the Principal Park parking lot side of the floodwall.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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