


COUNCIL COMMUNICATION

	Number:	19-168	Meeting:	April 22, 2019
	Agenda Item:	31	Roll Call:	19-0647
	Submitted by:	Benjamin R. Page, Park and Recreation Director		

AGENDA HEADING:

Approving and authorizing the execution of Amendment to Agreement for Cooperative Public Service between the City of Des Moines and Polk County (County), Iowa for funding, installation, and display of “WOW Feature” (the Artwork).

SYNOPSIS:

Approval of the amendment to the agreement between the City and County for the installation of “WOW Feature” sculpture by artist R&R Studios at the Lauridsen Skatepark (Skatepark) in downtown Des Moines.

FISCAL IMPACT:

Amount: Ongoing maintenance to be at City cost and discretion.

Funding Source: The Community Foundation of Greater Des Moines (CFGDM) is responsible for costs associated with creation of the artwork and preparing the installation and display of the proposed “WOW Feature” sculpture. The County will transfer any remaining funds that the County had received for purchase and installation of the “WOW Feature”, including the additional \$225,000 Skatepark maintenance fund from CFGDM, to the City to be used for maintenance of the “WOW Feature”.

ADDITIONAL INFORMATION:

- The “WOW Feature” will be both a public art piece and a functioning skateboard feature, designed and manufactured/produced by R&R Studios, to be installed by the County as a feature to the Skatepark.
- The Greater Des Moines Public Art Foundation determined that the “WOW Feature” proposal is consistent with the standards of the public art program and enthusiastically recommends that the City approve the installation.
- The City will become the owner of the “WOW Feature”, along with all other skatepark improvements, upon the City’s acceptance of the Skatepark Improvements. The City anticipates and understands that the “WOW Feature” will require regular maintenance funded by the City.

- The County will require R&R Studios to design and fabricate/manufacture the “WOW Feature” in order to increase its durability for use as an outdoor skateboard play feature and will provide to the City a written warranty that it was constructed in accordance with generally recognized engineering or safety standards or design theories.
- The County’s design professional designing the other Skatepark Improvements will review and approve the revised plan for the Skatepark and provide a written warranty to the City that their warranties to the City are not altered by the inclusion of the “WOW Feature” to the Skatepark Improvements.
- The County will provide to the City a written warranty that the “WOW Feature” was installed in the Skatepark in accordance with generally recognized engineering or safety standards or design theories.
- The City will have sole discretion in determining how the maintenance funds provided to the City under this Agreement are used in maintaining the Skatepark Improvements, including the “WOW Feature”, and the replacement and repair of the Skatepark Improvements will at all times remain at the sole discretion of the City. The City retains the right to remove the “WOW Feature” at its sole discretion.

**PREVIOUS COUNCIL ACTION(S):**

Date: March 26, 2018

Roll Call Number: [18-0527](#)

Action: [Hearing](#) on vacation of parkland located east of 2nd Avenue and Crocker Street and conveyance to Polk County. Moved by Mandelbaum to adopt. Motion Carried 6-1. Absent: Coleman.

(A) [Approval](#) of Agreement for Cooperative Public Service with Polk County regarding Skateboard Park. ([Council Communication No. 18-154](#)) Moved by Mandelbaum to adopt. Motion Carried 6-1. Absent: Coleman.

BOARD/COMMISSION ACTION(S):

Board: Urban Design Review Board

Date: February 19, 2019

Resolution Number: N/A

Action: A consensus of the members present recommend approval of the preliminary design.

Board: Plan & Zoning Commission

Date: March 7, 2019

Resolution Number: N/A

Action: Site Plan approved subject to the conditions outlined in the [meeting minutes](#). Moved by John “Jack” Hilmes. Motion Carried 12-0.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Anticipated actions are limited due to the County’s role in the project, but will include final acceptance and ownership of the project as outlined above.

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