


COUNCIL COMMUNICATION

	Number:	20-047	Meeting:	February 10, 2020
	Agenda Item:	18	Roll Call:	20-047
	Submitted by:	Benjamin R. Page, Park and Recreation Director		

AGENDA HEADING:

Set date of hearing for approval of a License Agreement with Edmundson Art Foundation, Inc., d/b/a The Des Moines Art Center (DMAC) for the for the display and maintenance of both the Quantum Leaf Sculpture and Fountain at Hansen Triangle and the Unnamed Shapiro Sculpture at Long Look Civic Gardens.

SYNOPSIS:

Recommend setting date of hearing for February 24, 2020 for the consideration of approval of the agreements between the DMAC and City for the display and maintenance of both the Quantum Leaf Sculpture and the Unnamed Shapiro Sculpture. The termination of the current license agreements for both sculptures at that Hansen Triangle and Long Look Civic Gardens City Council will be on the February 24, 2020 Council agenda. The request for terminating the original agreements was initiated by the Riverfront Development Authority (RDA). DMAC and City are in support. No changes to the display of the sculptures are proposed.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- On April 10, 2006, the City entered into an agreement with the RDA and DMAC for the installation, display and maintenance of the unnamed Shapiro Sculpture in the Long Look Garden on the west side of City Hall.
- On December 7, 2009 the City entered into an agreement with the RDA and DMAC for the installation, display and maintenance of the Quantum Leaf sculpture and fountain on the south side of the Hansen Triangle.



Red = Location of Quantum Leaf

Yellow = Location of Unnamed Shapiro



Quantum Leaf Sculpture



Unnamed Shapiro Sculpture

- RDA desires to terminate both Agreements. The City and DMAC desire to continue the display of the artwork for the enjoyment of the public and to enter into new agreements. DMAC will assume the RDA responsibilities for maintenance for insurance coverages.
- The actions recommended will accommodate the request from RDA and the desire of DMAC and the City by changing these from 3-party agreements to 2-party agreements.
- No physical changes to either sculptures or their locations are proposed as part of this new agreement.

- The City does not assume any new responsibilities in the new agreements. However, the original 20-year terms are proposed to restart, so that the new agreements between the DMAC and City will continue in full force and effect until December 31, 2040 unless mutually agreed to, or in the case of Quantum Leaf, until the termination of the MidAmerican Energy Lease of Hansen Triangle, whichever comes first.

PREVIOUS COUNCIL ACTION(S):

Date: December 7, 2009

Roll Call Number: [09-2137](#)

Action: Approving a license to Edmundson Art Foundation, Inc., D/B/A the Des Moines Art Center and the Riverwalk Development Authority for the installation, display and maintenance of a sculpture and fountain at Hansen Triangle. ([Council Communication No. 09-843](#)) Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Hearing on February 24, 2020.

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