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Date October 27, 2008

APPROVAL OF VISION IOWA GRANT AWARD AGREEMENT BETWEEN THE CITY, THE EDMUNDSON ART FOUNDATION, INC. AND THE VISION IOWA BOARD FOR \$1,000,000.00 FOR DEVELOPMENT OF A SCULPTURE GARDEN IN "WESTERN GATEWAY" PARK

WHEREAS, on March 10, 2008, by Roll Call No. 08- 133, the City Council approved an application for a grant in the amount of \$1,950,000.00 from the Vision Iowa Board to assist in the development of the John and Mary Pappajohn Sculpture Park in "Western Gateway" Park between 13th and 15th Streets; and

WHEREAS, on October 8, 2008, the Vision Iowa Board approved a Vision Iowa Program Grant of \$1,000,000.00 for construction of the Sculpture Park and approved a Vision Iowa Program Grant Award Agreement, which is now on file in the City Clerk's Office; and

WHEREAS, such grant agreement provides that the Vision Iowa Board will be recognized as a funder of the Sculpture Park, that the improvements will be operated and maintained as a sculpture park for twenty one years, and that the City will indemnify and hold harmless Vision Iowa and the State of Iowa from any claims and costs arising out of the project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the above described Vision Iowa Grant Award Agreement for the John and Mary Pappajohn Sculpture Park Project, on file in the City Clerk's Office, is hereby approved and the Mayor is authorized and directed to execute and deliver the agreement on behalf of the City and to execute all other documents required by the Vision Iowa Board that are necessary to bind the City and the City Clerk is authorized and directed to attest to the Mayor's signature.

BE IT FURTHER RESOLVED that the City Manager or his designee is hereby directed to administer all terms of the Vision Iowa Grant agreement including the satisfaction of all conditions and provision of all documentation required for the disbursement of Vision Iowa Grant funds and the maintenance and provision of all accounting records, documentation and reports.

(Council Communication Number 08-648)

Moved by _____ to adopt.

Approved as to Form:

Ann DiDonato
Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED APPROVED

Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk