

Date February 14, 2011

APPROVING OPERATING AGREEMENT WITH THE DES MOINES CAROUSEL FOUNDATION TO OPERATE THE DES MOINES HERITAGE CAROUSEL IN UNION PARK

WHEREAS, the Park and Recreation Department is charged with providing recreational opportunities, leisure activities, and facilities throughout Des Moines; and

WHEREAS, the Des Moines Carousel Foundation has operated the vintage Des Moines Heritage Carousel at Union Park and contributed funds towards the construction of a pavilion to house the carousel, which was constructed in 2000; and

WHEREAS, on January 24, 2000, by Roll Call No. 00-243, the Des Moines City Council approved an Operating Agreement between the City of Des Moines and the Des Moines Carousel Foundation to operate the carousel, including providing maintenance of the carousel, which expired on December 1, 2010; and

WHEREAS, the Des Moines Carousel Foundation desires to continue to operate the carousel and to provide maintenance of the carousel; and

WHEREAS, the Park and Recreation Department Director recommends continuation of the operating agreement with the Foundation and a new operating agreement with a term ending on December 1, 2020, which will extend for an additional term of ten years unless either party provides written notice of termination, has been negotiated, a copy of which is on file in the City Clerk's Office.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the Operating Agreement between the City of Des Moines and the Des Moines Carousel Foundation for a term of ten years, with an automatic ten year renewal, a copy of which is on file in the City Clerk's Office, is hereby approved and the Mayor is hereby authorized and directed to execute said agreement on behalf of the City and the City Clerk is directed to attest to his signature.

(Council Communication No. 11- 119 ) Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:

*Ann DiDonato*  
Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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