



Roll Call Number

Agenda Item Number

39A

Date December 16, 2019

APPROVAL OF AMENDMENT TO DONATION AND CONSTRUCTION AGREEMENT
BETWEEN KICK IT FORWARD AND CITY OF DES MOINES REGARDING A FUTSAL COURT
AT BIRDLAND SPORTS PARK

WHEREAS, on November 18, 2019, by Roll Call No. 19-1846, the City Council approved a Donation and Construction Agreement Between Kick It Forward and the City of Des Moines Regarding Installation of a Mini-Pitch System Futsal Court (“Agreement”); and

WHEREAS, the installation of the Mini-Pitch system futsal court is complete except for the painting of the court surface; and

WHEREAS, the Agreement provides that the City Council will accept the Futsal Court upon completion of its installation, as determined by the Parks and Recreation Director; and

WHEREAS, despite diligent efforts by Kick It Forward to complete installation of the Futsal Court prior to the onset of temperatures that are too low to paint the Court surface, temperatures declined before the Court surface could be painted; and

WHEREAS, the Parks and Recreation Director has determined that the Futsal Court installation is complete, except for the painting of the Court, which cannot be completed until temperatures are reliably higher in Spring; and

WHEREAS, Parks and Recreation Department staff and Kick It Forward desire to amend the Agreement to provide that the City accept the Futsal Court prior to painting of the Court surface and that Donor will complete painting the Court surface by no later than June 1, 2020.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the Amendment to Donation and Construction Agreement Between Kick It Forward and the City of Des Moines Regarding Installation of a Mini-Pitch System Futsal Court, a copy of which is available in the City Clerk’s Office, is hereby approved and the Mayor is authorized and directed to sign the Amendment on behalf of the City and the City Clerk is authorized and directed to attest to his signature.

(Council Communication No. 19-528)

Moved by _____ to adopt.



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APPROVED AS TO FORM:

Ann DiDonato

Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, P. KAY CMELIK, 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