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Date December 21, 2020

APPROVAL OF AGREEMENT BETWEEN COMMUNITY FOUNDATION OF GREATER DES MOINES AND CITY OF DES MOINES ESTABLISHING FLEUR DRIVE MEDIANS LANDSCAPE REPLACEMENT FUND

WHEREAS, the City of Des Moines, owns the Fleur Drive medians and is planning to replace the landscape materials including soil, plant material and mulch (the “Fleur Drive Median Project”) with financial assistance from donors to partially fund the Project; and

WHEREAS, the Community Foundation of Greater Des Moines is an Iowa nonprofit corporation organized and operated as a “publicly supported community trust” within the meaning of Treasury Regulation §170A-9(f)(11), and is a publicly supported charity described in Sections 501(c)(3), 509(a)(1) and 170(b)(1)(A)(vi) of the Internal Revenue Code (“the Foundation”); and

WHEREAS, the Foundation desires to create a new fund to support private contributions to the Fleur Drive Median Project accepting donor deposits, administering the Fund, and providing reimbursement to the City from such Fund for the Fleur Drive Medians Project costs by the City, for the benefit of the citizens of Des Moines (“the Fund”); and

WHEREAS, the Foundation has prepared a Community Betterment Fiscal Sponsorship Agreement for the Fleur Drive Medians between the City of Des Moines and the Foundation, a copy of which is on file in the City Clerk’s Office; and

WHEREAS, pursuant to such Agreement, the Foundation will support the City as provided in a separate agreement with the City to manage the fund and the Foundation will perform such Fund administration services for a fee of \$250 annually and 2% of the Fund receipts; and

WHEREAS, it is in the best interests of the City to enter into such Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the Community Betterment Fiscal Sponsorship Agreement for the Fleur Drive Medians between the City of Des Moines and the Community Foundation of Greater Des Moines, a copy of which is on file in the City Clerk’s Office, is hereby approved and the Mayor is authorized and directed to sign the Agreement on behalf of the City and the City Clerk is authorized and directed to attest to his signature.

★ Roll Call Number

Agenda Item Number

38A

Date December 21, 2020

(Council Communication No. 20-560)

Moved by _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato
Ann DiDonato
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
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