



**Date** December 6, 2021

**APPROVAL OF AMENDMENT TO AGREEMENT WITH THE GREATER DES MOINES PUBLIC ART FOUNDATION FOR INSTALLATION AND MAINTENANCE OF JUN KANEKO GLASS MURAL ON COURT AVENUE PUMP STATION FOR LICENSE FOR TEMPORARY REMOVAL FOR REPAIRS AND REINSTALLATION**

WHEREAS, on April 8, 2013, by Roll Call No. 13-0616, the City Council approved an Agreement Between The City of Des Moines and the Greater Des Moines Public Art Foundation for Installation and Maintenance of Jun Kaneko Studio, LLC/Court Avenue Pump Station Glass Mural In the Principal Riverwalk (“Agreement”); and

WHEREAS, the “Expansion” glass mural (“Mural”) was installed by the Greater Des Moines Public Art Foundation on the City pump station on Court Avenue pursuant to the Agreement; and

WHEREAS, the Agreement provides in Section V that the Greater Des Moines Public Art Foundation is responsible for maintenance of the Mural and Section I.6 provides that the installed Mural may not be removed without the approval of both parties; and

WHEREAS, the Greater Des Moines Public Art Foundation has determined that the Mural is in need of repairs which will require removal of the Mural for up to one year and desires to conduct such removal and reinstallation upon completion of its repairs; and

WHEREAS, the Greater Des Moines Public Art Foundation and City staff have prepared an amendment to the Agreement to allow this temporary removal of the Mural and reinstallation upon completion of repairs as set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the Amendment to the Agreement Between The City of Des Moines and The Greater Des Moines Public Art Foundation For Installation and Maintenance of Jun Kaneko Studio, LLC/Court Avenue Pump Station Glass Mural In the Principal Riverwalk for License for Temporary Removal for Repairs and Reinstallation, a copy of which is in the City Clerk’s Office, is hereby approved and the Mayor is authorized and directed to execute such amendment on behalf of the City and the City Clerk is directed to attest to his signature.

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

**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.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk