

Date June 26, 2023

SET HEARING FOR CONSIDERATION OF A LICENSE AGREEMENT WITH DES MOINES ART CENTER, FOR INSTALLATION, MAINTENANCE AND DISPLAY OF ARTWORK ON THE MECHANICAL BUILDING WITHIN EVELYN K. DAVIS PARK

WHEREAS, the City of Des Moines owns and maintains the Mechanical Building within the Evelyn K. Davis Park (“City Property”) in Des Moines as parkland; and

WHEREAS, Des Moines Art Center, an Iowa nonprofit corporation (“hereinafter Licensee”) desires to enter into a License Agreement with the City of Des Moines to install, maintain and display a new public art mural installation proposed for the Mechanical Building within the Evelyn K. Davis Park created by artists Siri Garcia, Marissa Hernandez, and Jill Wells; and

WHEREAS, the City will not be inconvenienced by the license of said City Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

1. The City Council of the City of Des Moines, Iowa, proposes to grant a license to use a portion of the Mechanical Building within the Evelyn K. Davis Park to the Des Moines Art Center, for an initial 3-year term, to allow for the installation, display and maintenance of artwork, subject to the terms and conditions of said license agreement.
2. A public hearing shall be held on July 17, 2023, at 5:00 p.m. in the Council Chambers, City Hall, 400 Robert D. Ray, Drive, Des Moines.
3. The City Clerk is hereby authorized and directed to publish notice of said proposal and hearing in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.

Moved by _____ to adopt.
(Council Communication No. 23.320)

Second by _____.

APPROVED AS TO FORM:

/s/ Chas M. Cahill
Chas M. Cahill
Assistant City Attorney

 **Roll Call Number**

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Agenda Item Number

23

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Date June 26, 2023

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, LAURA BAUMGARTNER, 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

NOTICE OF PROPOSAL TO CONVEY LICENSE IN PARKLAND

NOTICE IS HEREBY GIVEN that the City Council of the City of Des Moines, Iowa, shall consider approval of a three-year license agreement with Des Moines Art Center for use of the Mechanical Building within the Evelyn K. Davis Park, to allow for the installation, display and maintenance of artwork, subject to the terms and conditions of said license agreement, for the consideration of the enjoyment of the public by the display of the artwork and of maintenance of the artwork by Des Moines Art Center. A map of the subject property is on file and available for public inspection in the office of the City Clerk.

NOTICE IS FURTHER GIVEN that the City Council will consider the license agreement and public parkland after a public hearing to be held at 5:00 p.m. on July 17, 2023, in the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. At the hearing, opportunity to be heard will be given to proponents and opponents of the proposed license agreement. Any person or organization desiring to submit written material regarding this matter may direct such written material to the Office of the City Clerk, City Hall, 400 Robert D. Ray, Des Moines, Iowa 50309, or by e-mailing cityclerk@dmgov.org prior to 4:00 p.m. on July 17, 2023.

PUBLISHED IN THE DES MOINES REGISTER ON July 5, 2023.