

★ Roll Call Number  
08-1400

Agenda Item Number  
5 E(1)

Date August 11, 2008

APPROVAL OF AGREEMENT FOR FUNDING OF JOHN AND MARY  
PAPPAJOHN SCULPTURE COLLECTION AND JOHN AND MARY  
PAPPAJOHN SCULPTURE PARK IMPROVEMENTS BETWEEN CITY OF  
DES MOINES, EDMUNDSON ART FOUNDATION, INC., D/B/A THE DES  
MOINES ART CENTER, AND GREATER DES MOINES COMMUNITY  
FOUNDATION

WHEREAS, John and Mary Pappajohn have agreed to donate approximately 15 pieces of sculpture to the Edmundson Art Foundation, Inc., d/b/a the Des Moines Art Center ("DMAC"), with the intention that such sculptures be placed in a portion of the park bounded by 10<sup>th</sup> Street to 15<sup>th</sup> Street and Grand Avenue and Locust Street, commonly referred to as "Western Gateway Park" ("the Sculpture Collection"); and

WHEREAS, on March 24, 2008 by Roll Call No. 08-532, the City Council approved a Schematic Plan for "Western Gateway Park" which included the Sculpture Collection; and

WHEREAS, on March 24, 2008 by Roll Call No. 08-533, the City Council approved an agreement between the City and DMAC for the installation, display, security and maintenance of the Sculpture Collection and named the portion of "Western Gateway Park" between 13<sup>th</sup> and 15<sup>th</sup> Streets the John and Mary Pappajohn Sculpture Park ("the Park"); and

WHEREAS, substantial improvements to the Park will be necessary to accommodate the installation, display, maintenance and security for such sculptures, with such costs estimated to be at \$4,600,000.00; and

WHEREAS, the Greater Des Moines Community Foundation ("Foundation") desires to cooperate with the City and DMAC by receiving, depositing and providing funds to the City for such improvements to the Park and for operational costs for security measures to protect the sculptures within the Park, and to provide funds to DMAC for sculpture installation costs; and

WHEREAS, the City will be responsible for the construction of the Park improvements; and

WHEREAS, the DMAC will be responsible for the installation of the Sculpture Collection; and

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WHEREAS, City staff have negotiated an agreement with DMAC and Foundation as described above, 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 City of Des Moines, The Edmundson Art Foundation, Inc., d/b/a The Des Moines Art Center, and Greater Des Moines Community Foundation Agreement For "Western Gateway Park" Sculpture Garden Park Improvements, a copy of which is in the City Clerk's Office, be and is hereby approved.

BE IT FURTHER RESOLVED that the Mayor is authorized and directed to sign said Agreement on behalf of the City of Des Moines, and the City Clerk is authorized and directed to attest to the Mayor's signature.

(Council Communication No. 08- 485)

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Ann DiDonato  
Ann DiDonato  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

MOTION CARRIED APPROVED  
T. M. Franklin 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.

Diane Rauh City Clerk