

★ Roll Call Number

08-2213

Agenda Item Number

32

December 22, 2008
Date

ACCEPTANCE OF DONATION OF "EARS OF JOY" SCULPTURE FROM BARBARA AND MICHAEL GARTNER FOR DISPLAY AT PRINCIPAL PARK

WHEREAS, the City of Des Moines owns Principal Park Stadium and the vicinity and has entered into a lease with Greater Des Moines Baseball Co. for the lease of Principal Park Stadium and the vicinity; and

WHEREAS, Barbara and Michael Gartner own a sculpture entitled "Ears of Joy" by Jane DeDecker, with an appraised value of \$37,500, which has been displayed at Principal Park Stadium since the Spring of 2008; and

WHEREAS, Barbara and Michael Gartner desire to donate to the City of Des Moines such sculpture for the enjoyment of the public and desire that such continue to be displayed at Principal Park, and have prepared a proposed Deed of Gift of Entire Interest, a copy of which is on file in the City Clerk's Office, such gift subject at all times to the final authority of the City Council; and

WHEREAS, the Park and Recreation Board at its December 9, 2008 meeting approved the acceptance of the "Ears of Joy" sculpture and recommend its continued display at Principal Park.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the above described Deed of Gift of Entire Interest, which is on file in the City Clerk's Office, be and is hereby approved and the City Clerk is authorized and directed to note such acceptance and approval on said Deed on behalf of the City and such donated sculpture is hereby accepted, subject at all times to the final authority of the City Council and the City Council's determination as to the best interests of the City.

(Council Communication No. 08-739)

Moved by Vlassis to adopt.

APPROVED AS TO FORM:

Ann M. DiDonato
Ann M. DiDonato, Assistant City Attorney

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

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

MOTION CARRIED

APPROVED

T. M. Franklin
Mayor