



Roll Call Number

10-1563

Agenda Item Number

33

Date September 27, 2010

APPROVAL OF AGREEMENT WITH BILL SHERMAN AND CREATIVE EDGE
FOR INSTALLATION AND DONATION OF MURAL ON MLK JR PARKWAY
FLOODWALL

WHEREAS, the City has constructed a floodwall within the City Right-of-Way along Martin Luther King, Jr. Parkway adjacent to Principal Park ("the Floodwall); and

WHEREAS, the area adjacent to the Floodwall is also the site of the historic Fort Des Moines log cabin; and

WHEREAS, Bill Sherman desires to donate to the City a tile wall art project entitled "Birthplace of Des Moines" designed by artist Hilda De Bruyne and to be fabricated and installed by Creative Edge, an Iowa company ("the Mural") for the enjoyment of the public; and

WHEREAS, the Greater Des Moines Public Art Foundation has determined that the placement of the Mural at such location should proceed; and

WHEREAS, the artist Hilda De Bruyne has assigned all ownership rights in the Mural to the City; and

WHEREAS, upon installation and approval of the City Park and Recreation Department Director, the City will become the owner of the Mural;

WHEREAS, Bill Sherman will pay for the costs of fabrication and installation of the Mural and also desires to provide the City with funds for maintenance and repair of the Mural; and

WHEREAS, City staff have negotiated an agreement Between the City of Des Moines and Bill Sherman and Creative Edge for Installation and Donation of "Birthplace of Des Moines" Tile Mural on MLK Jr. Parkway Floodwall, a copy of which is in the City Clerk's Office; and

WHEREAS, it is in the best interests of the City to enter into such Agreement to allow the installation of the Mural for the enjoyment of the public.

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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the above described Agreement, a copy of which is in the City Clerk's Office, is hereby approved and the Mayor is authorized and directed to sign such Agreement on behalf of the City and the City Clerk is directed to attest to his signature.

(Council Communication 10-590)

Moved by Moore to adopt.

APPROVED AS TO FORM:

Ann DiDonato
 Ann DiDonato
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY				✓
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	6			1

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.

T. M. Franklin Mayor

Diane Rauh City Clerk