



Roll Call Number

19-01647

Agenda Item Number

31

Date April 22, 2019

APPROVAL OF AMENDMENT TO AGREEMENT FOR COOPERATIVE PUBLIC SERVICE BETWEEN POLK COUNTY AND CITY OF DES MOINES REGARDING "WOW" FEATURE TO LAURIDSEN SKATEBOARD PARK

WHEREAS, on March 26, 2018, by Roll Call No. 18-0528, the City Council approved the Agreement for Cooperative Service in which the County is responsible for the design and construction of a downtown regional skateboard park on a portion of City property north of the Rotary Riverwalk Park. Such improvements are estimated to be in the amount of at least \$3,500,000, to be paid for by private fund raising efforts (the "Skate Park"); and

WHEREAS, on March 20, 2018, by Resolution No.43-18, the County approved such Agreement for Cooperative Service; and

WHEREAS, the Agreement included approval of the Skate Park Improvements and requires that deviations from the design drawings be approved by the City; and

WHEREAS, the Community Foundation of Greater Des Moines has engaged in a fundraising effort to purchase a piece of sculpture which will be a functioning skateboard feature, designed and manufactured/produced by R & R Studios, to be installed by Polk County as a feature to the Skate Park, as shown on Exhibit A (the "WOW Feature"); and

WHEREAS, the Greater Des Moines Public Art Foundation has informed the City by letter dated October 26, 2018, that the Foundation determined that the WOW Feature proposal is consistent with the standards of the public art program and enthusiastically recommends that the City approve the installation; and

WHEREAS, Polk County has agreed to enter into a contract with R & R Studios for the design and production of the WOW feature and to work with the Skate Park designer and contractor to review and install the WOW Feature; and

WHEREAS, Park and Recreation Department staff and Polk County staff have negotiated a proposed Amendment to Agreement for Cooperative Service Between Polk County and the City of Des Moines, a copy of which is on file in the City Clerk's Office.



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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the Amendment to Agreement for Cooperative Service Between Polk County and the City of Des Moines for the WOW Feature, a copy of which is available in the City Clerk's Office, as described above, is hereby approved and the Mayor is authorized and directed to sign said amendment, including the copyright license and Visual Artists Rights Act waiver included as exhibits in said amendment, on behalf of the City and the City Clerk is authorized and directed to attest to his signature.

(Council Communication No. 19-168 )

Moved By Gatto to adopt.

APPROVED AS TO FORM:

Ann DiDonato

Ann DiDonato

Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED			APPROVED	

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.

Mayor

City Clerk