



**Roll Call Number**

20 - 2123

**Agenda Item Number**

38 B

**Date** December 21, 2020

APPROVAL OF AGREEMENT BETWEEN COMMUNITY FOUNDATION OF GREATER  
DES MOINES AND CITY OF DES MOINES REGARDING FLEUR DRIVE MEDIANS  
LANDSCAPE REPLACEMENT FUND MANAGEMENT

WHEREAS, the City of Des Moines, owns the Fleur Drive medians and is planning to replace the landscape materials including soil, plant material and mulch (the “Fleur Drive Median Project”) with financial assistance from donors to partially fund the Project; and

WHEREAS, the Ruan family has kick started a fund raising campaign to help fund the Fleur Drive Median Project landscape replacement and installation costs with a donation of \$180,000.00; and

WHEREAS, the Ruan family and the City desire to use the services of the Community Foundation of Greater Des Moines (“the Foundation”) to accept donor funds from the public to partially fund the Fleur Drive Median Project, by accepting donor deposits, administering the Fund, and providing reimbursement to the City from such Fund for Project costs by the City, all for the benefit of the citizens of Des Moines; and

WHEREAS, the Foundation has established a Fleur Drive Medians Fund for such purposes (“the Fund”); and

WHEREAS, the Parks and Recreation Department staff have negotiated an Agreement for Fleur Drive Medians Landscape Replacement between the City of Des Moines and Community Foundation of Greater Des Moines, a copy of which is on file in the City Clerk’s Office; and

WHEREAS, pursuant to such Agreement, the Foundation will perform such Fund administration services for a fee of \$250 annually and 2% of the Fund receipts; and

WHEREAS, it is in the best interests of the City to enter into such Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the Agreement for Fleur Drive Medians Landscape Replacement between the City of Des Moines and Community Foundation of Greater Des Moines, a copy of which is on file in the City Clerk’s Office, is hereby approved and the Mayor is authorized and directed to sign the Agreement on behalf of the City and the City Clerk is authorized and directed to attest to his signature.

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(Council Communication No. 20-560)

Moved by Boesen to adopt.

APPROVED AS TO FORM:

Ann DiDonato
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL.

CERTIFICATE

I, P. Kay Cmelik, 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.

J. M. Franklin Cowrie Mayor

P. Kay Cmelik City Clerk