

★ Roll Call Number

23-0724

Agenda Item Number

25

Date May 22, 2023

SET HEARING FOR CONSIDERATION OF A LICENSE AGREEMENT WITH DOWNTOWN DES MOINES SELF-SUPPORTED MUNICIPAL IMPROVEMENT DISTRICT, D/B/A OPERATION DOWNTOWN, FOR INSTALLATION, MAINTENANCE AND DISPLAY OF ARTWORK WITHIN THE PRINCIPAL RIVERWALK TRAIL UNDERPASS UNDER THE IOWA WOMEN OF ACHIEVEMENT PEDESTRIAN BRIDGE

WHEREAS, the City of Des Moines owns and maintains the Principal Riverwalk Trail Underpass Iowa Women of Achievement Pedestrian Bridge (“City Property”) in downtown Des Moines as parkland and right-of-way; and

WHEREAS, Downtown Des Moines Self-Supported Municipal Improvement District, an Iowa nonprofit corporation d/b/a Operation Downtown (“hereinafter Licensee”) desires to enter into a License Agreement with the City of Des Moines to install, maintain and display a new public art mural installation proposed for the Principal Riverwalk trail underpass located on the east bank of the Iowa Women of Achievement Pedestrian Bridge created by artist Ally Frame and titled “We Are One”; and

WHEREAS, the City will not be inconvenienced by the license of said City Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

1. The City Council of the City of Des Moines, Iowa, proposes to grant a license to use a portion of the Principal Riverwalk trail underpass located on the east bank of the Iowa Women of Achievement Pedestrian Bridge to the Downtown Des Moines Self-Supported Municipal Improvement District, d/b/a Operation Downtown, for an initial 5-year term, to allow for the installation, display and maintenance of artwork, subject to the terms and conditions of said license agreement.
2. A public hearing shall be held on June 12, 2023, at 5:00 p.m. in the Council Chambers, City Hall, 400 Robert D. Ray, Drive, Des Moines.
3. The City Clerk is hereby authorized and directed to publish notice of said proposal and hearing in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.

Moved by Gatto to adopt.

Second by Boesen.

(Council Communication No. 23-258)

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APPROVED AS TO FORM:

/s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
Shenmakers				✓
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1

MOTION CARRIED APPROVED
J. M. Franklin Cownie
 Mayor

CERTIFICATE

I, LAURA BAUMGARTNER, 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.

Laura Baumgartner

City Clerk