



**Roll Call Number**

**Agenda Item Number**

50 B-1

Date February 24, 2020

TERMINATION OF AGREEMENT WITH RIVERFRONT DEVELOPMENT AUTHORITY AND EDMUNDSON ART FOUNDATION, INC. D/B/A THE DES MOINES ART CENTER FOR INSTALLATION AND MAINTENANCE OF UNNAMED SHAPIRO SCULPTURE AT LONG LOOK CIVIC GARDENS

WHEREAS, the Edmundson Art Foundation, Inc. (DMAC) is the owner of the Joel Shapiro “Unnamed” sculpture (the “Sculpture”); and

WHEREAS, on April 10, 2006, by Roll Call No. 06-692, the City Council approved the Agreement Between the City of Des Moines and the Des Moines Riverfront Development Authority (“RDA”) and Edmundson Art Foundation, Inc. d/b/a/ the Des Moines Art Center for Installation and Maintenance of Unnamed Shapiro Sculpture in the Principal Riverwalk (“the Agreement”); and

WHEREAS, the parties now desire to terminate the Agreement and the City and DMAC desire to enter into a separate agreement for the continued display and maintenance of the Sculpture at Long Look Civic Gardens in the Principal Riverwalk; and

WHEREAS, a termination agreement has been prepared, a copy of which is on file in the City Clerk’s Office.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the Agreement for Termination of Previously Executed Agreement between the City of Des Moines and The Des Moines Riverfront Development Authority and the Edmundson Art Foundation d/b/a The Des Moines Art Center for Installation and Maintenance of Unnamed Shapiro Sculpture in the Principal Riverwalk, a copy of which is on file in the City Clerk’s Office, is hereby approved and the Mayor is authorized and directed to execute such termination agreement on behalf of the City and the City Clerk is directed to attest to his signature.

(Council Communication 20- ) Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:

*Ann DiDonato*

Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

**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.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk