



Roll Call Number

21-1757

Agenda Item Number

39B

Date November 15, 2021

APPROVAL OF AGREEMENT TO TERMINATE ROBERT D. RAY ASIAN GARDEN MAINTENANCE AND REPAIR AGREEMENT BETWEEN THE CITY OF DES MOINES AND DES MOINES RIVER FRONT DEVELOPMENT AUTHORITY

WHEREAS, on August 29, 2011, by Roll Call No. 11-1527, the City Council approved the Asian Garden Agreement pursuant to which the Des Moines River Front Development Authority is responsible for the maintenance and repair and such costs for improvements at the Robert D. Ray Asian Garden ("the Maintenance Agreement")...

WHEREAS, the Des Moines Riverfront Development Authority (RDA) intends to dissolve as a non-profit corporation by early 2022 and to terminate the 28E Agreement and the Maintenance Agreement prior to such dissolution; and

WHEREAS, the Greater Des Moines Botanical Garden desires to enter into an agreement with the City to be responsible for the maintenance and repair of improvements and to make additional improvements at its sole cost to the Robert D. Ray Asian Garden.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the Agreement to Terminate Robert D. Ray Asian Garden Maintenance and Repair Agreement By and Between the City of Des Moines and Des Moines Riverfront Development Authority, a copy of which is on file in the City Clerk's Office, be and is hereby approved...

(Council Communication No. 21-494 )

Moved by Westergaard to adopt.

APPROVED AS TO FORM:

Ann DiDonato Assistant City Attorney

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, TOTAL (7 yeas), MOTION CARRIES, APPROVED, and Mayor signature.

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. City Clerk signature.