

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	December 4, 2017
	Agenda Item No.	51
	Roll Call No.	<u>17-2102</u>
	Communication No.	<u>17-814</u>
	Submitted by:	Scott E. Sanders, City Manager

AGENDA HEADING:

Appeal of the street use team’s decision to deny a street use permit to Kevin Bourke, The Iowa Sports Foundation for the Dam Iowa Race for a 5K run and half marathon on June 1, 2019.

SYNOPSIS:

Recommend a final determination on the appeal from Kevin Bourke, The Iowa Sports Foundation on the street use team’s decision to deny a street use permit for a 5K run and half marathon on June 1, 2019.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- An application from Kevin Bourke of the Iowa Sports Foundation for a 5K and half marathon road race to be held on June 1, 2019 was delivered to City staff on September 18, 2017. A prior application from RipRoar Events LLC was received earlier in the day for the same date and time and which would follow essentially the same route. The street use team met with RipRoar Events on September 27, 2017 and approved their application.
- It was the street use team’s decision to deny the Iowa Sports Foundation’s application on October 27, 2017 based upon Section 102.1130 of the City’s ordinance, criteria and standards in reviewing street use permit applications:
 - (5) Whether another street use permit has already been granted for substantially the same time and location.
 - (6) Whether the size or time of the event would require so great a diversion of the city police department as to prevent normal police protection of the city or to prevent adequate police protection at another previously scheduled citywide event.
 - (8) Whether city personnel necessary to regulate and monitor the event can be made reasonably available.
- Mr. Bourke timely filed an appeal to the street use team’s denial on November 20, 2017; however, he may be asking for a continuance of the council hearing to decide his appeal.
- Council’s decision is a final determination by the City, which is subject to appeal in the District Court of Polk County. Municipal Code section 102-1133.

PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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