

★ **Roll Call Number**

Agenda Item Number
34

Date June 22, 2009

Application from Christ the King Catholic Church requesting approval for a banner across S.W. 9th Street to promote the Sweet Corn Festival from August 1, 2009 to August 30, 2009.

Moved by _____ to receive, file and approve banner.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, DIANE RAUH, 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



City of Des Moines
Application for Permission to Temporarily Place
Banner(s) or Item(s)
Over/Across Public Street and/or Right-of-Way

Please submit application 45 days in advance

Print or Type

Applicant: CHRIST THE KING CATHOLIC CHURCH.

Address: 5711 SW 9th STREET DES MOINES Ia 50315

Contact Person: CHRIS Aldinger Alternate Contact: Bill Redinger
SIS- 229 2837

Daytime Telephone: 285 2888 Cell: 249 3290

E-Mail Address: CHRISA@CHRISTTHEKINGPARISH.ORG Fax: 515 285 8182

Date(s) the banner(s) or item(s) will be displayed: AUG 1 2009 to AUG 30, 2009

Purpose of the banner(s) or item(s): PROMOTE PARISH EVENT - SWEET CORN FESTIVAL

Preferred Location: Please provide a map or diagram of the street indicating banner location.

How will the banner(s) or item(s) be anchored? EYE BOLT SCREWS / ROPE TO APPROVED MID AMERICAN POLES AT 5711 SW 9th

If you plan to anchor to the utility pole, please provide written permission from the utility company or from the City (if poles are City-owned). Such permission is not a substitute for meeting the requirements for receiving this permit.

Size of banner(s) or item(s): 30" High x 44' LONG

Specifications of banner(s) or item(s):
Type of Material: 2 SIDED 18g. PLASTIC w/ center Block out

Number of grommets used to secure banner or item: LOOP top & Bottom FOR WIRE w/ AIR HOLES THROUGHOUT

Sketch of banner or item design: Will you need electricity provided for your item?
If electricity is necessary, how would it be obtained:

NO ELECTRICITY NEEDED

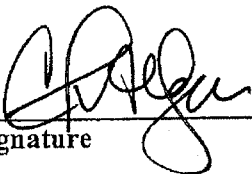
Indemnification:

To the fullest extent permitted by law, the Applicant agrees to defend, pay on behalf of, indemnify, and hold harmless the City of Des Moines, Iowa against any and all claims, demands, suites, or loss, including any and all outlay and expense connected therewith, by reason of personal injury, bodily injury or death, and property damage, which arises out of the Applicant erecting, displaying, maintaining and removing banner or item display.

Insurance:

A Certificate of Insurance to demonstrate compliance with these requirements shall be submitted to the City's Risk Management Office. Applicant shall purchase and maintain during the period of the banner or item display, including erection, display and removal of banner or item. General Liability Insurance with a limit of no less than \$500,000 per occurrence and/or aggregate, Automobile Liability Insurance for owned (if applicable), non-owned and hired vehicles with a limit of no less than \$500,000 per occurrence. Both the General and Automobile Liability Insurance policies shall include Contractual Liability coverage equivalent to that included in a standard ISO insurance form with the General Liability edition date being no earlier than 1998, unless otherwise approved by the City of Des Moines, Iowa. If the banner or item display is part of a special event for which a Street Use Permit is granted the insurance required for the Street Use Permit will be considered to also cover insurance otherwise required for this permit.

Applicant agrees to provide all maintenance and upkeep of the banner(s) or item(s) for the duration that the banner(s) or item(s) is in place. Banner(s) or item(s) may be removed at the expense of the applicant if required by the City.



Signature 249.3290

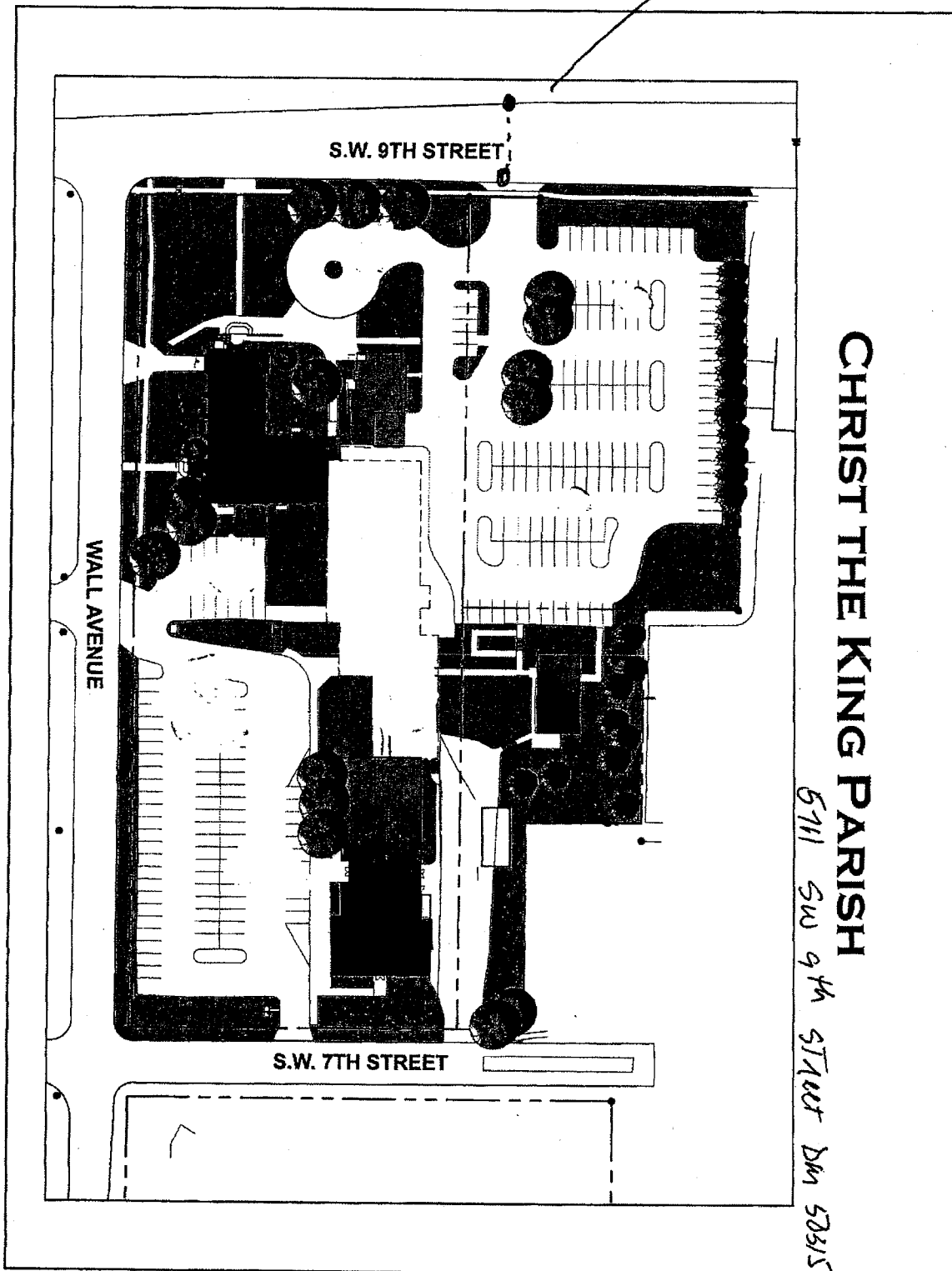
4/30/2009

Date

Please return to City Clerk's Office
400 Robert D. Ray Drive
Des Moines, IA 50309
Phone: (515) 283-4209, Ext. 7
Fax: (515) 237-1645

FOR OFFICE USE ONLY:
Traffic Division approval: _____
Risk Management approval: _____
City Council approval: _____

Sign site



PARISH AUCTION OCT. 3
 CTX SCHOOL 50TH NOV. OCT. 24, 25
 3RD ANNUAL CHRIST THE KING CHURCH
Sweet Corn Festival
 SATURDAY AUGUST 29TH 10:00AM TO 10PM
 Music by Richie Lee 7-10pm
 Rides Bingo Food Fun

VINYL BANNER:
 SIZE: 36" X 44'
 SCALE: NONE

Project:	Salesman:	Designer:
Authorized Signature:	Design #:	Date:
	Date:	Scale:

No charges for finished art work or mechanicals if project is completed in full by Signs Plus. Mechanicals, original sketches and materials other than signs originated by the designer are the property of the designer, and will be held for the client, unless otherwise shown. If any part of the design and concept is used without written consent from the designer, art work will be invoiced at an hourly rate with a minimum charge. The sketch remains property of Signs Plus.



1410 S.E. Diehl • Des Moines, Iowa 50320
 Toll Free: 800.897.4487
 Ph.: 515.285.9700 • Fax: 515.285.3878



MidAmerican Energy Company
 CUSTOMER TECHNICIAN
 P O BOX 657
 Des Moines, Iowa 50306-0657

August 7, 2008

Christ The King Catholic Church
 5711 SW 9th St.
 Des Moines IA. 50315-5006
 Attention: Chris Aldinger

Dear Mr.: Aldinger

Re: Hanging a banner at 5711 SW 9th St. Des Moines IA

MidAmerican Energy Company is willing to grant the Christ The King Catholic Church a license to use its utility poles for double bracket banners subject to the following:

1. The facilities included in this agreement are located in the following described area:
 Poles in front of Christ The King Catholic Church on the east and west side of SW 9th St. Des Moines Iowa.
2. Christ The King Catholic Church shall during the license period indemnify and hold harmless MidAmerican Energy Company, its parent, subsidiaries and affiliated companies and their agents, officers, and employees from and against any loss or damage to the facilities, all claims, actions, suits, proceedings, cost, expenses, damages and liabilities (including legal expense and including damage to property, injury to or death of any persons in any manner resulting from the use of the facilities if such liability is caused in whole or in part by using said utility poles by Christ The King Catholic Church and/or in whole or in part by any act, omission or negligence of and/or its agents, officers or employees.
3. Christ The King Catholic Church shall maintain insurance of self-insure, to cover the risks specified in paragraph 2 Christ The King Catholic Church will provide MidAmerican Energy with a letter of self-insurance/insurance as proof of coverage's required in paragraph 2.



MidAmerican Energy Company
CUSTOMER TECHNICIAN
P O BOX 657
Des Moines, Iowa 50306-0657

August 7, 2008
Page 2

- 4. Christ The King Catholic Church acknowledges that MidAmerican Energy Company MAKES NO WARRANTY OR REPRESENTATION, EXPRESSED OR IMPLIED, AS TO THE FITNESS, DESIGN, OR CONDITION OF THE FACILITIES OR THEIR FITNESS FOR ANY PARTICULAR PURPOSE that, MidAmerican Energy HAS AGREED TO ALLOW Christ The King Catholic Church TO USE AND Christ The King Catholic Church UNDERSTANDS THAT THE FACILITIES ARE PROVIDED AS IS, WITH ALL FAULTS.
- 5. The agreement shall become effective on 08-01-2008 and shall continue unless terminated by either MidAmerican Energy Company or Christ The King Catholic Church giving the other party thirty (30 days written notice of termination, or immediately without notice if Christ The King Catholic Church fails to comply with any provision of this agreement.)

Enclosed are two copies of this license agreement. Please indicate your acceptance of the terms and conditions stated herein by dating and signing in the space provided below and return one original and a copy of your insurance certificate to me. If you have any questions or comments regarding this matter, please call me at .

Sincerely,
MidAmerican Energy Company
Bill Smalley
Customer Technician

Accepted and agreed to this 30 day of April, 2009

THE
By: *[Signature]*
Title: BUSINESS MANAGER

Certificate of Coverage

Date: 6/2/2009

Certificate Holder
 The Roman Catholic Diocese of Des Moines
 Chancery Office
 601 Grand Avenue
 Des Moines, IA 50309

Covered Location
 Christ the King Catholic Church
 5711 SW 9th Street
 Des Moines, IA 50315

This Certificate is issued as a matter of information only and confers no rights upon the holder of this certificate. This certificate does not amend, extend or alter the coverage afforded below.

Company Affording Coverage
 THE CATHOLIC MUTUAL RELIEF
 SOCIETY OF AMERICA
 10843 OLD MILL RD
 OMAHA, NE 68154

Coverages

This is to certify that the coverages listed below have been issued to the certificate holder named above for the certificate indicated, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the coverage afforded described herein is subject to all the terms, exclusions and conditions of such coverage. Limits shown may have been reduced by paid claims.

Type of Coverage	Certificate Number	Coverage Effective Date	Coverage Expiration Date	Limits	
Property				Real & Personal Property	
General Liability <input checked="" type="checkbox"/> Occurrence <input type="checkbox"/> Claims Made	8577	7/1/2009	7/1/2010	General Aggregate	
				Products-Comp/OP Agg	
				Personal & Adv Injury	
				Each Occurrence	500,000
				Fire Damage (Any one fire)	
				Med Exp (Any one person)	
Excess Liability	8577	7/1/2009	7/1/2010	Each Occurrence	500,000
Other				Each Occurrence	

Description of Operations/Locations/Vehicles/Special Items
 Coverage is verified for claims arising out of Christ the King Catholic Church posting/erecting of a banner on SW 9th Street from August 1-30, 2009. CMRS Excess Auto \$500,000 XS \$500,000.

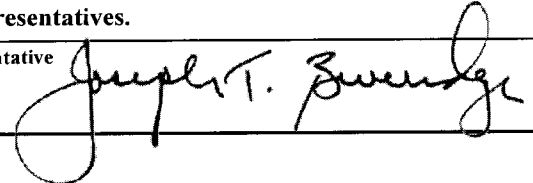
Holder of Certificate

Cancellation

City of Des Moines, IA

Should any of the above described coverages be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the holder of certificate named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

Authorized Representative



0084000559



CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)

6/2/2009

34

PRODUCER C.M.G. AGENCY, INC 10843 Old Mill Rd Omaha, NE 68154 402-551-8765	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
	INSURERS AFFORDING COVERAGE	NAIC#
INSURED Roman Catholic Diocese of Des Moines PO Box 1816 Des Moines, IA 50306	INSURER A: Preferred Professional Ins. Co	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE(MM/DD/YYYY)	POLICY EXPIRATION DATE(MM/DD/YYYY)	LIMITS	
		GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMSMADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$	
A		AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANYAUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	MAU0024286-00	7/1/08	7/1/09	COMBINED SINGLE LIMIT (Ea accident) \$ 500,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$	
		GARAGE LIABILITY <input type="checkbox"/> ANYAUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$	
		EXCESS / UMBRELLA LIABILITY: <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMSMADE <input type="checkbox"/> DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$	
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below Y/N <input type="checkbox"/>				<input type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.I. EACH ACCIDENT \$ E.I. DISEASE - EA EMPLOYEE \$ E.I. DISEASE - POLICY LIMIT \$	
		OTHER					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Coverage is verified for claims arising out of Christ the King Catholic Church posting/eresting of a banner on SW 9th Street from August 1-30, 2009.

CERTIFICATE HOLDER

City of Des Moines, IA

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Herzberg, Karen M.

From: Dakovich (Rouse), Jennifer L.
Sent: Tuesday, June 02, 2009 6:58 AM
To: Herzberg, Karen M.
Cc: Schultz, Mark J.
Subject: RE: Christ the King Banner -

Karen –

It's okay from T&T's perspective.

Thanks.

Jen

From: Herzberg, Karen M.
Sent: Monday, June 01, 2009 4:21 PM
To: Dakovich (Rouse), Jennifer L.; Schultz, Mark J.
Subject: Christ the King Banner -

Please let me know if the attached is okay for Council. Thanks!

Karen



Karen Herzberg
Executive Administrative Assistant
City of Des Moines
City Clerk's Office
Phone: (515) 237-1389
email: kmherzberg@dmgov.org

Herzberg, Karen M.

From: Schultz, Mark J.
Sent: Friday, June 05, 2009 10:53 AM
To: Herzberg, Karen M.
Subject: RE: Christ the King Banner

I apologize for not responding to this earlier. I thought there was problem but looking at it again, I can approve it.

From: Herzberg, Karen M.
Sent: Friday, June 05, 2009 10:48 AM
To: Schultz, Mark J.
Subject: Christ the King Banner

Please review and let me know if it is okay now for Council approval. Thank you.

Karen



Karen Herzberg
Executive Administrative Assistant
City of Des Moines
City Clerk's Office
Phone: (515) 237-1389
email: kmherzberg@dmgov.org