

★ Roll Call Number

Agenda Item Number

41 ✓

Date September 10, 2007

Application from Downtown Events Group for permission to temporarily place banners across E. Locust Street for the 2007 World Food Festival, October 3-7, 2007.

Moved by _____ to receive, file and approve banners.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLISSIS				
TOTAL				
MOTION CARRIED			APPROVED	

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.

Mayor

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: DOWN TOWN EVENTS Group

Address: 700 Locust St, Suite 100, Des Moines 50309

Contact Person: Beth Johnson Alternate Contact: Stephen King

Daytime Telephone: 286-4946 Cell: 681-9428

E-Mail Address: bjohnson@downtown Fax: 286-4942
eventsgroup.org

Date(s) the banner(s) or item(s) will be displayed: 10/3 - 10/8, 2007

Purpose of the banner(s) or item(s): Decorations - Showcase
the countries of the world for the World Food Festival.

Preferred Location: Please provide a map or diagram of the street indicating banner location. ON E. Locust Street from E. 3rd St to Penn Ave. (See attached)

How will the banner(s) or item(s) be anchored?
The flags are zip-tied to a rope and the rope is tied to the poles.
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):
Each flag on the rope is 3'x5' and will hang vertically.

Specifications of banner(s) or item(s):
Type of Material: Light weight nylon fabric.

Number of grommets used to secure banner or item:
EACH flag has 3 grommets and will be attached at the top only.

Sketch of banner or item design: Will you need electricity provided for your item?
If electricity is necessary, how would it be obtained:
Will NOT Need Electricity.
See photo Attached.

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.

Beth Johnson
Signature

8/15/07
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:

Mary Kelly 8-20-07

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Herzberg, Karen M.

From: Rouse, Jennifer L.
Sent: Wednesday, August 22, 2007 9:23 AM
To: Herzberg, Karen M.
Subject: RE: Downtown Events Group

Karen –

Our department doesn't have a problem with this.

Thanks.

Jen

From: Herzberg, Karen M.
Sent: Friday, August 17, 2007 4:48 PM
To: Rouse, Jennifer L.; Schultz, Mark J.
Subject: Downtown Events Group

Attached the banners/flags for the World Food Festival. Please review . We would like to put this on the September 10 meeting.

Thank you.

Karen Herzberg
City Clerk's Office
400 Robert D. Ray Drive
Des Moines, IA 50309
#237-1389



ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/01/07

PRODUCER
Holmes Murphy & Assoc - WDM
P.O. Box 9207
Des Moines, IA 50306-9207
Dave Olson

1-800-247-7756

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.

INSURED
Greater Des Moines Partnership
700 Locust St., Suite 100
Des Moines, IA 50309

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Philadelphia Insurance Company	
INSURER B: Acuity	
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 ADD'L LTR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	PHPK219694	03/01/07	03/01/08	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$Excluded PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALLOWED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	PHPK219694	03/01/07	03/01/08	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
A	EXCESS/UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION \$10,000	PHUM080669	03/01/07	03/01/08	EACH OCCURRENCE \$4,000,000 AGGREGATE \$4,000,000 \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below	L56045	03/01/07	03/01/08	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$500,000 E.L. DISEASE - EA EMPLOYEE \$500,000 E.L. DISEASE - POLICY LIMIT \$500,000
	OTHER				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
 RE: Wells Fargo World Food Festival October 5-7, 2007

CERTIFICATE HOLDER

City of Des Moines
 Attn: Mark Schultz
 400 Robert D Ray Drive
 Des Moines, IA 50309

USA

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

Dave Olson

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IMPORTANT

If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

PENN AVENUE

EAST 7TH STREET

EAST WALNUT STREET

State Historical Building

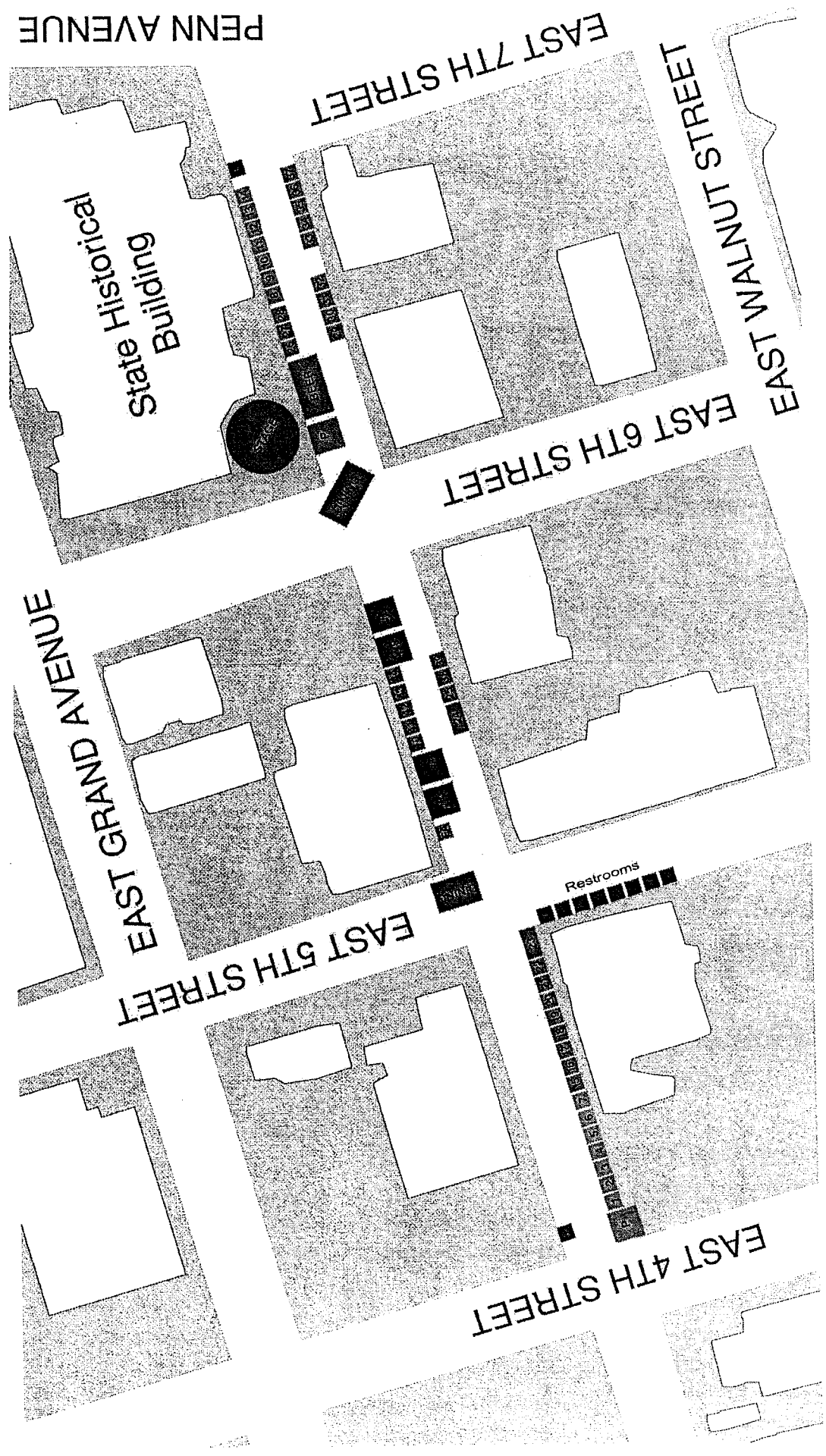
EAST 6TH STREET

EAST GRAND AVENUE

EAST 5TH STREET

Restrooms

EAST 4TH STREET



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Beth Johnson

From: Beth Johnson
Sent: Tuesday, August 14, 2007 1:59 PM
To: 'Rouse, Jennifer L.'
Cc: Witmer, Jody R.
Subject: RE: World Food Festival Flags

Hi Jennifer,

Thanks for approving the flags to be hung on E. Locust again this year! I will get the banner application submitted for them at the City Clerk's office. I have copied Jody Witmer on this email so she knows that you have approved them.

I'll take a look at those light poles on E. 5th Street – thanks for the heads-up on those. If I think it will still work I'll contact MidAmerican Energy.

Thanks for your help!

Beth Johnson|| Production Manager

Downtown Events Group
700 Locust St., Suite 100
Des Moines, IA 50309
(office) 515.286.4946
(cell) 515.681.9428
(fax) 515.286.4942
www.downtowneventsgroup.org

Downtown Events Group Schedule:

Wells Fargo World Food Festival: October 5-7, 2007 – East Village
GuideOne Imagine! Dec. 31, 2007 - Iowa Events Center/Hy-Vee Hall
Iowa Outdoor Wellness Adventure: June 2008
Des Moines Arts Festival: June 27-29, 2008 - Western Gateway Park

From: Rouse, Jennifer L. [mailto:JLRouse@dmgov.org]
Sent: Tuesday, August 14, 2007 1:53 PM
To: Beth Johnson
Subject: RE: World Food Festival Flags

Hi Beth –

We would approve the installation of banners on E. Locust again this year. The banner application will still need to be submitted through the City Clerk's office and all the requirements met (insurance, etc.).

The City does not own the streetlight poles along E. 5th St. between E. Grand and E. Walnut. Those are standard, galvanized streetlight poles which are owned by MidAmerican Energy. Written permission from MidAmerican Energy would have to be submitted with your banner application in order for it to be approved. Jim Howard with MidAmerican Energy (242-3914) may be able to help you in getting MidAmerican Energy approval. You may want to look at those poles since they are in a staggered pattern and not directly across the street from each other, I'm not sure if that will make it more difficult for you to hang banners or not.

Please let me know if you have any further questions or if you need additional information.

Thanks.
Jennifer L. Rouse, P.E.

8/15/2007

Principal Traffic Engineer
602 Robert D. Ray Dr.
Des Moines, IA 50309
Phone: (515) 283-4973
E-Mail: jlrouse@dmgov.org

From: Beth Johnson [<mailto:bjohnson@desmoinesmetro.com>]
Sent: Tuesday, August 14, 2007 11:42 AM
To: Rouse, Jennifer L.
Subject: RE: World Food Festival Flags

Hi Jennifer,

I wanted to see if we could get permission to hang our flags again this year for the World Food Festival. Like last year, the flags would be hung across the street on E. Locust in addition, this year they would also be hung on E. 5th Street from E. Grand to E. Walnut by attaching them to the decorative light poles along those streets. The flags will hang from Wednesday, October 3 – Sunday, October 7, 2007.

The flags are the same ones we used last year and are made of a lightweight fabric with three grommets along the top of each flag. They will be attached vertically only along the top of the flag to a rope that will be tied-off on the light poles. Each flag is 3'x5' long.

Let me know if you have any questions.
Thanks for your help!

Beth Johnson|| Production Manager

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700 Locust St., Suite 100
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Des Moines Arts Festival: June 27-29, 2008 - Western Gateway Park

From: Rouse, Jennifer L. [<mailto:JLRouse@dmgov.org>]
Sent: Thursday, August 31, 2006 11:33 AM
To: Beth Johnson
Subject: RE: World Food Festival Flags

Beth,
Based on this information, I have no problem with the flag banner being hung from the streetlight poles on E. Locust since the flags will not be tethered at both the top and bottom. The banner application will still need to be submitted to the Clerk's office for final approval. Any damage that might occur to the poles as a result of the banner being attached would be the responsibility of the event.

Please let me know if you have any questions or if you need further information.

Thanks.
Jennifer L. Rouse, P.E.

8/15/2007