

Date September 22, 2008

Application from Beavertdale Main Street Initiative for permission to place banners in twelve locations (Beaver Avenue from Beavercrest Drive to Adams Avenue), which will change throughout the year to promote beautification and community improvement in Beavertdale's core commercial district.

Moved by _____ to receive, file and approve banners.

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 ~~Temporary~~ ^{Permanently}
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: Beaverdale Main Street Initiative

Address: P.O. Box 13395, Des Moines, IA 50310

Contact Person: Stephanie Walmsley Alternate Contact: Neal Westin ph# (515) 710-1974

Daytime Telephone: (515) 865-7778 Cell: same

E-Mail Address: Stephanie@beaverdalemainstreet.org Fax: _____

Date(s) the banner(s) or item(s) will be displayed: October 2008 - indefinitely

Purpose of the banner(s) or item(s): Beautification & Community Improvement
in Beaverdale's core commercial district

Preferred Location: Please provide a map or diagram of the street indicating banner location. please see attached document for banner locations along Beaver Ave.

How will the banner(s) or item(s) be anchored?

Banner hardware (please see attachment for detailed description) will be bolted to the wooden 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.

Written permission from Mid-American Energy is attached for your review.

Size of banner(s) or item(s):

Maximum size of banners are: 30" x 50"

Specifications of banner(s) or item(s):

Type of Material: 13oz. Vinyl banners - UV, mildew & Abrasion resistant

Number of grommets used to secure banner or item:

0 grommets - these banners will have sewn pockets at top & bottom of banners

Sketch of banner or item design: Will you need electricity provided for your item?

If electricity is necessary, how would it be obtained:

The 4 seasonal banner designs are attached for your review.

We will not need electricity for these banners.


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

9/15/08
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: _____



MidAmerican Energy Company
10510 Douglas Avenue
Urbandale, Iowa 50322

August 13, 2008

Stephanie Walsmith
Beaverdale Main Street Initiative
4026 Ashby Avenue
Des Moines, Iowa 50310

Dear Ms. Walsmith:

Re: Installation of banners on Beaver Avenue, Des Moines

MidAmerican Energy Company is willing to grant the Beaverdale Main Street Initiative 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:

Beaver Avenue from Beavercrest Drive to Adams Avenue

2. The Beaverdale Main Street Initiative 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 the Beaverdale Main Street Initiative and/or in whole or in part by any act, omission or negligence of and/or its agents, officers or employees.
3. The Beaverdale Main Street Initiative shall maintain insurance of self-insure, to cover the risks specified in paragraph 2. The Beaverdale Main Street Initiative will provide MidAmerican Energy with a letter of self-insurance/insurance as proof of coverages required in paragraph 2.



MidAmerican Energy Company
10510 Douglas Avenue
Urbandale, Iowa 50322

August 13, 2008
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- 4. The Beavertdale Main Street Initiative 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 THE BEAVERDALE MAIN STREET INITIATIVE TO USE AND THE UNDERSTANDS THAT THE FACILITIES ARE PROVIDED AS IS, WITH ALL FAULTS.
- 5. The agreement shall become effective on _____ and shall continue unless terminated by either MidAmerican Energy Company or Beavertdale Main Street Initiative giving the other party thirty (30 days written notice of termination, or immediately without notice if Beavertdale Main Street Initiative 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 515-252-6497.

Sincerely,
MidAmerican Energy Company

Eric Heikes
Distribution Technical Supervisor

Accepted and agreed to this 9 day of September, 2008.

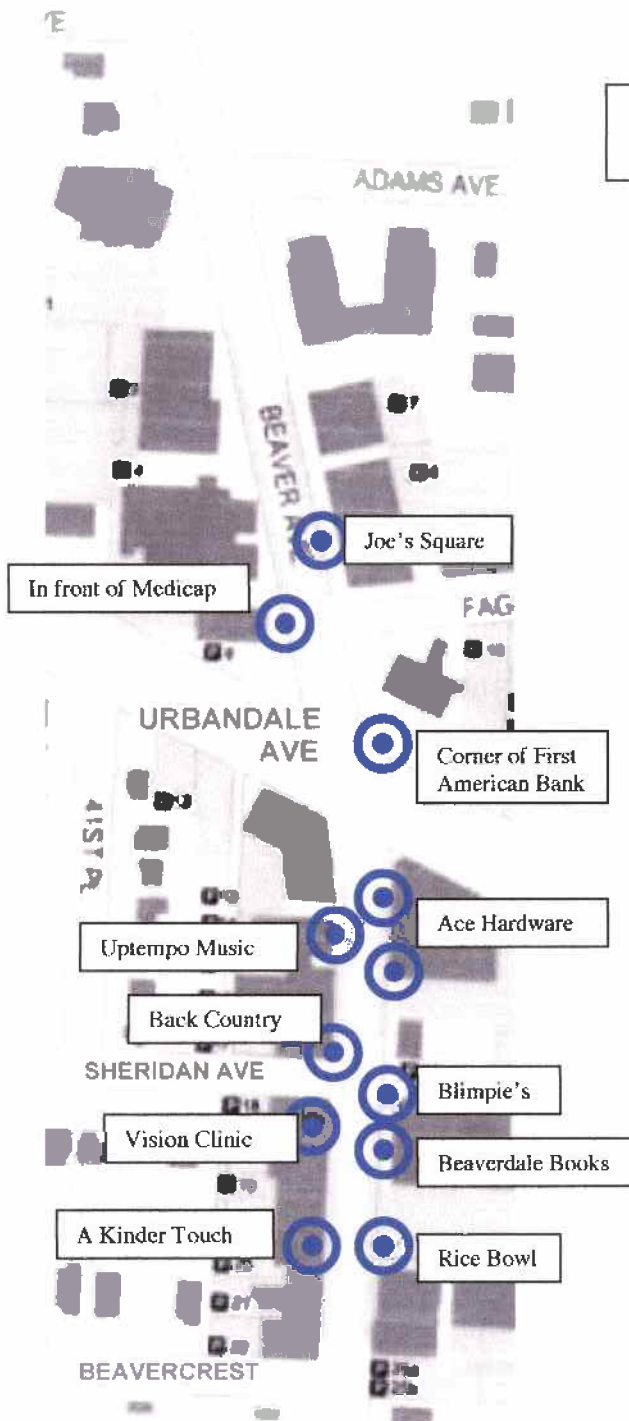
BEAVERDALE MAIN STREET INITIATIVE


By: 

Title: President

Beaverdale Core Business District Beaverdale Core Business District Light Pole Banners & Hardware Project

Recommended Locations



 = An existing light pole that will have a light pole banner installed on it.

- Twelve light pole banner sites (ALL sites have been approved by MidAmerican Energy).
- The banners will be 30" w x 50" h in size and will be changed out throughout the year to reflect the season.

Beaverdale Core Business District Light Pole Banners and Hardware (cont.)

Banner Hardware



Banner Hardware Specifications:

- *Windreflects Hurricane* banner bracket system can be either bolted or banded to the pole. Our preference would be to bolt them onto the wooden light poles.
- Bracket hardware will be bolted on with galvanized lag bolts & washers – 2 on top & 2 on bottom (see photo on left)
 - Installed using two 4"-5" long 1/2" galvanized lag bolts and washers.
- Wind load is up to 88mph sustained winds
- Can fully support 30" h x 50" w banners
- Heavy Duty, Flexible Breakaway Fiberglass Rod Arms
- Non-corrosive Aluminum/Stainless Steel Construction
- Micro-adjustable so that banner change outs are a breeze
- Canted with a 3% deflection (keeping the outer edge of the banner nice and tight)
- 10-year warranty

Banner Material Specifications:

- 13oz. Marine-grade Vinyl Matte banners
 - Water Repellent
 - UV, Mildew & Abrasion Resistant
 - Flame Retardant

A photograph showing several light poles in an urban setting. The poles are black and have multiple banners attached. The banners are white with blue and red text. One banner reads "EAST SQUARE" and another reads "EAST SQUARE". The background shows a brick building and a street with cars.
A close-up photograph of the banner hardware on a pole. It shows a metal bracket with a fiberglass rod arm attached to a black pole. A banner is visible in the background with the word "BANK" partially visible.

Windreflects Banner Bracket Hardware
1-800-884-0855 www.dgninc.com

