



Roll Call Number

Agenda Item Number

28

Date April 20, 2015

Application from Carl Voss requesting approval to temporarily place banners across the street on 15th & Walnut, 13th & Grand, and 12th & Grand for the finish line plus dam hill for the DAM TO DAM on Saturday, May 30, 2015.

Moved by _____ to receive, file and approve banner design.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				

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.

MOTION CARRIED

APPROVED

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: Dam to Dam Committee

Address: 323 E 5th St.

Contact Person: Carl Voss Alternate Contact Kurt Schaeffer

Daytime Phone: 515-210-0237 Cell Phone: 515-988-3452

E-Mail Address: carlvoss@mac.com Fax: 515-210-0237

Date(s) the banner(s) or item(s) will be displayed: Saturday, May 30
for DAM TO DAM

Purpose of the banner(s) or item(s): Finish line plus
last DAM Hill

Preferred Location: Please provide a map or diagram of the street indicating
banner location. 15th & Walnut, 13th & Grand,
12th & Grand

How will the banner(s) or item(s) be anchored?
See photos/designed & affixed by licensed company

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): see photos of 2014 banners

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

Type of Material:

Number of grommets used to secure banner or item:
see photos of 2014 banners

Sketch of banner or item design: Will you need electricity provided for your
item? If electricity is necessary, how would it be obtained:
see e-mail to Laura Baumgartner

2015 MAR -2 PM 4:58
CITY CLERK
DES MOINES, IA
FILED


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. 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

3-1-15

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)237-2645

FOR OFFICE USE ONLY:

Traffic Division Approval: _____

Risk Management Approval: _____

City Council Approval: _____

**HOLD HARMLESS AGREEMENT AND EVIDENCE OF INSURANCE
COVERAGE FOR THE CONSTRUCTION, ERECTION, MAINTENANCE AND
REMOVAL OF STREET BANNERS IN
CITY OF DES MOINES RIGHT-OF-WAY**

The undersigned, as an authorized representative of Dam & Dam Committee, acknowledges that the organization is a recognized group or association by the City of Des Moines, Iowa, or is a tax-exempt organization under Section 501 (c) (3) of the United States Internal Revenue Code.

On behalf of the organization or association, the undersigned states that the street banners which are the subject of this Agreement shall be placed in an area generally described as:

- 15th & Walnut
- 12th & Grand
- 13th & Grand

The organization or association acknowledges and agrees that it will solely provide for the construction, erection, maintenance and removal of street banners and that the City of Des Moines, its employees, agents and assigns shall have no obligation or responsibility whatsoever for the construction, erection, maintenance and removal of the street banners.

The undersigned acknowledges that any and all activity undertaken by any officer, agent, employee, volunteer and/or assign of the organization or association related to the placement of street banners and associated activity in City owned right-of-way pursuant to authorization of the City of Des Moines, Iowa given in Resolution Number 99-991 dated April 5, 1999 is done solely on behalf of the organization or association and that the undersigned, on behalf of the organization or association, releases and holds the City of Des Moines, Iowa, its officers, agents, employees and assigns harmless from any and all damages which may be asserted, claimed, or recovered against the City of Des Moines, Iowa, its officers, agents, employees and assigns by reason of property damage and/or personal injury, including bodily injury, which arises out of or which is in any way connected or associated with the activity undertaken for the construction, erection, maintenance and removal of the street banners from City owned right-of-way.

The organization or association assumes full responsibility for any and all damages or injuries which may result to any person or property by reason of or in connection with the activities undertaken by or on behalf of the organization or association.

The undersigned further acknowledges that any and all officers, agents, employees, volunteers and/or assigns of the organization or association are not employees or contractors of the City of Des Moines, Iowa and are exempt from the coverage (s) provided by Code of Iowa, Chapters 85, 85A, 85B and any succeeding legislation, and that such individuals shall have no right to make a claim for or receive any compensation from the City of Des Moines, Iowa as provided by Code of Iowa Chapters 85, 85A, 85B or any succeeding legislation.

The organization or association represents that it has the approval of Mid-American Energy Company to erect street banners on utility or like-poles within the designated area, and that the above-named organization or association has liability insurance (Policy Name and Number Star Insurance: 2015 #2 M AI) in full force and effect which names the organization or association, and as an additional insured, the City of Des Moines.

The undersigned further represents that the liability insurance will remain in full force and effect during the period the street banners are located in City owned right-of-way and agrees that upon expiration, termination or otherwise of the liability insurance coverage, or if any of the terms of this Agreement cannot or are not met, the authority of the organization or association to have the street banners placed in City owned right-of-way will immediately terminate and the banners will be removed.

This Hold Harmless Agreement and Evidence of Insurance Coverage is executed on this _____ day of _____, 20____ on behalf of and by the authority of _____.

Authorized Representative

Baumgartner, Laura L.

From: Carl Voss <carlvoss@mac.com>
Sent: Monday, March 02, 2015 4:38 PM
To: Baumgartner, Laura L.
Subject: Fwd: Banner/scaffolding - Dam to Dam 2015

Please overlook typos; small keyboard. Sent from my iPhone.

Begin forwarded message:

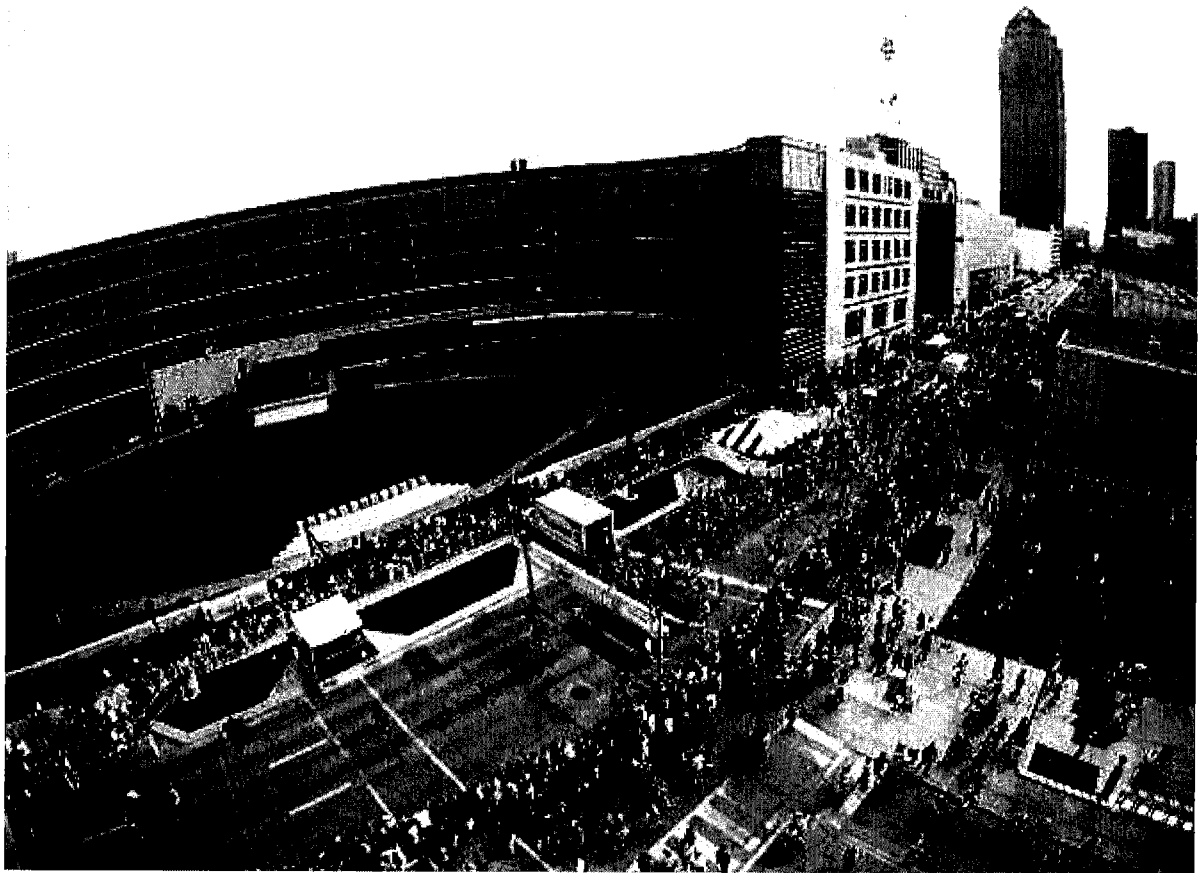
From: Cal Murdock <calmurdock@earthlink.net>
Date: March 2, 2015 at 1:23:52 PM CST
To: Carl Voss <carlvoss@mac.com>
Subject: **Banner/scaffolding - Dam to Dam 2015**

Carl

- 1 - 15th & Walnut, adjacent to Exile
- 2 - 13th & Grand, finish line adjacent to Welmark
- 3 - 12th & Grand/Locust adjacent to Pappajohn Center

Cal

Bands - see damtodam.com for 2014 race booklet. There will be 2 or 3 music groups (on smaller stages) throughout the finish/post-refreshment area this year.





On Mar 2, 2015, at 12:48 PM, Carl Voss <carlvoss@mac.com> wrote:

I have a list of locations where we applied for Dam to Dam sound permits for 2014. But...not sure those are final locations. Permits issued in April 4. Did anything change?

Tom and Lyle suggested that I just use the 2014 list. Here are the 10 locations with 2014 sound permits:

Botanical Garden

Asian Garden

Iowa Women of Achievement Bridge (east end)

Iowa Women of Achievement Bridge (west end)

World Food Prize/lower level of Principal Riverwalk

Science Center of Iowa (401 ML King)

601 ML King

10th & ML King

14th & ML King

Western Gateway Park

No band at Bell Brothers on Sixth Avenue?

I've heard talk of more than one band in the finish area; hoping one permit will do the trick.

Two notes to Lyle: No sound permits required for locations outside of DM city limits.

I'm not sure how Oak Park Neighborhood handles the aid station sound. Maybe they don't even bother?

I can't see that the bands and locations were in the 2014 results book (some copy blocks are black on the PDD online version)

Carl