



Roll Call Number

17-2102

Agenda Item Number

51

Date: December 4, 2017

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 ½ MARATHON AND 5K ON JUNE 1, 2019

WHEREAS, Kevin Bourke, representing the Iowa Sports Foundation d/b/a Iowa Games has filed a timely appeal of the decision of the Street Use Team to deny his application for a street use permit for a 5K and ½ Marathon Race on June 1, 2019; and

WHEREAS, the application was denied because the Street Use Team already had another prior application from RipRoar Events LLC on file for the same date and time and which would follow essentially the same route; and

WHEREAS, the appeal comes before City Council pursuant to Municipal Code section 102-1133 and effectively puts both applications at issue for the Council to decide in their discretion which application should be approved for the running event proposed for June 1, 2019; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa: (choose one of the two alternatives) **(Council Communication No. 17-814)**

_____ Alternative One: (approves permit for Kevin Bourke - Iowa Sports Foundation) That the street use team's decision to deny the application of Kevin Bourke – Iowa Sports Foundation for a street use permit for the running event to take place on June 1, 2019 be reversed and that the street use team's approval for RipRoar Events LLC also be reversed and the street use team is directed to process the application of Kevin Bourke – Iowa Sports Foundation for approval and issuance the street use permit.

MOVED BY _____

Alternative Two: (denies permit for Kevin Bourke – Iowa Sports Foundation) That the street use team's decision to deny the application of Kevin Bourke – Iowa Sports Foundation for a street us permit be affirmed.

MOVED BY Hensley to affirm the decision of the Street Use Team and issue the permit to RipRoar Events, LLC.



Roll Call Number

17-2102

Agenda Item Number

51

Date: December 4, 2017

FORM APPROVED:

Douglas P. Philip
Assistant City Attorney

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.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE		✓		
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
TOTAL	6	1		

MOTION CARRIED

APPROVED

T. M. Franklin Course
Mayor

Diane Rauh
City Clerk