


## COUNCIL COMMUNICATION

	Number:	<b>22-095</b>	Meeting:	<b>March 7, 2022</b>
	Agenda Item:	<b>50</b>	Roll Call:	<b>22-0342</b>
	Submitted by:	<b>Benjamin R. Page, Park and Recreation Director</b>		

### AGENDA HEADING:

Approval of non-exclusive, limited intellectual property License for trail logos to Des Moines Park and Recreation Foundation and authorizing Parks and Recreation Director to execute renewal and addendums to License.

### SYNOPSIS:

Recommend approval of a non-exclusive, limited intellectual property License agreement with the Des Moines Park and Recreation Foundation (d/b/a Friends) to sell merchandise featuring these trail logos to raise funds for and awareness of City of Des Moines Parks and Recreation Department trails and programs. The logos represent nine (9) City of Des Moines trails: Neal Smith, Bill Riley, Meredith, Gay Lea Wilson, Martin Luther King, Jr., Trestle to Trestle, John Pat Dorrian, Carl Voss, and Walnut Creek Multi-Use Recreational Trails. The sale of clothing and collectible items featuring these logos will support the Friends' mission to preserve, protect, improve, and promote the use of Des Moines parks, programs, and trails for the benefit of all neighborhoods, residents, and visitors.

### FISCAL IMPACT: NONE

### ADDITIONAL INFORMATION:

- First established by a group of residents as The Des Moines Park and Recreation Foundation in 1993, the Friends of Des Moines Parks is a nonprofit 501(c)(3) organization with a mission to preserve, protect, improve, and promote the use of Des Moines' parks, trails, greenways, and recreational programs for the benefit of all neighborhoods, residents, and visitors.
- The Friends of Des Moines Parks partners with the City of Des Moines Parks and Recreation Department to support a positive experience for all park and trail users when using park amenities, accessing programs and attending events. They play a prominent role in bolstering the reputation of Des Moines as a premier community for quality of life, raising a family and overall well-being.
- The department identified the need for improved identity and safety as it relates to understanding a trail user's location while utilizing our more than 80-mile trail system. This led to the City Council approving an agreement between the Friends, Project 7 Design, Inc., and the City on October 5, 2020, by Roll Call No. 20-1576, by which the Friends donated to the

City the funds for the costs of design services by Project 7 Design for Trail Graphic Identities for emergency call signs and trail signs, including the development of the first phase of trail identity logos specific to nine (9) trails: Neal Smith, Bill Riley, Meredith, Gay Lea Wilson, Martin Luther King, Jr., Trestle to Trestle, John Pat Dorrian, Carl Voss, and Walnut Creek Multi-Use Recreational Trails. Project 7 also provided a report detailing design standards to assist with the development of all future trail graphic identities.

- The design and fabrication of the trail graphic identities and emergency signage is complete, and installation has begun and will continue this spring. Entering into this license, which authorizes the Friends to merchandise collectable items such as clothing, flags, masks, bottles, buttons, magnets, hats, stocking caps, blankets, tote bags, posters, individual tokens, socks, scarves, stickers, towels, can coolies, and bike jerseys will continue the positive use of these trail identities to support the mission of the Friends and benefit the City's trail system. Additional merchandise and collectable items may only be added by addendum to this License signed by the Director of Parks and Recreation, subject to the sole discretion of the City.
- All Licensed products and marketing or offers for sale of the Licensed products must be of high quality and are to be approved by the City of Des Moines through the Parks and Recreation Department Director.
- This License excludes the right to use the City of Des Moines name or logo on Licensed Products or in connection with the manufacture, advertising, promotion, distribution, and sale of Licensed Products and the Friends may not license third parties to use the Intellectual Property other than to create the Licensed Products.
- The Parks and Recreation Director will be authorized to execute future amendments, or changes to trademark license. The first License term is through December 31, 2031, with (1) 10-year License renewal.
- Use of the City of Des Moines trails continues to increase as more trail segment gaps are filled and existing trail segments and infrastructure are maintained and improved. The total annual estimated City of Des Moines trail uses has climbed to over 4.1 million uses per year across the entire trail system.

EXHIBIT A

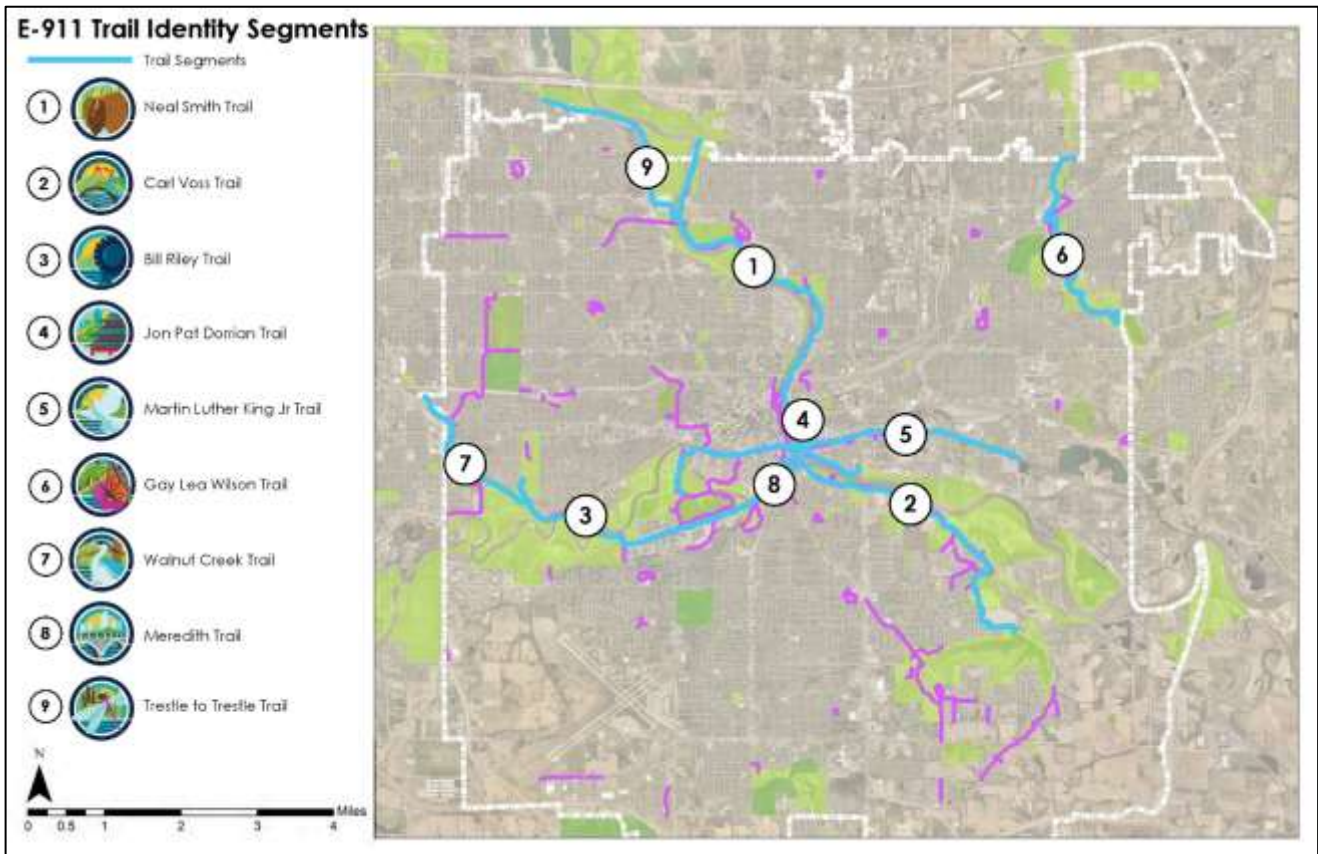


EXHIBIT B

Individual graphic identities, full color, with trail name:



Individual graphic identities, full color, no trail name:



**PREVIOUS COUNCIL ACTION(S):**

Date: October 5, 2020

Roll Call Number: [20-1576](#)

Action: [An](#) agreement with Project 7 Design, Inc. and Des Moines Parks & Recreation Foundation regarding design services for E911 and Trail System Identities Signage. ([Council Communication No. 20-418](#)) Moved by Gatto to adopt. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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