

 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b> October 25, 2010
	<b>Agenda Item No.</b> 55 <b>Roll Call No.</b> [ _____ ] <b>Communication No.</b> <u>10-628</u> <b>Submitted by:</b> Phil Delafield Community Development Director

**AGENDA HEADING:**

Resolution approving Annexation Moratorium Agreement and 28E Agreement with Pleasant Hill.

**SYNOPSIS:**

The cities of Des Moines and Pleasant Hill entered into an Annexation Moratorium Agreement in 2000 wherein the two cities have established a line of demarcation beyond which each city agreed not to annex for 10 years, being the maximum term allowed for such an agreement under Iowa Code §364.4. That agreement recently expired. The purpose of the proposed Annexation Moratorium Agreement and 28E Agreement is to renew and extend that agreement for another 10-year term.

**FISCAL IMPACT:**

Amount: No immediate impact. Possible future savings from being able to better plan for the future growth of the city.

Funding Source: N/A.

**ADDITIONAL INFORMATION:**

The cities of Des Moines and Pleasant Hill have both exercised their authority under Iowa Code §354.9 to review subdivision plats and plats of survey for divisions or subdivisions in the unincorporated area within two miles of each city's respective boundary. This may occasionally result in one city being responsible for reviewing a plat located within the other city's expected growth area. A further purpose of the proposed new combined Annexation Moratorium Agreement and 28E Agreement is to require that any new plat located within 2 miles of both cities be reviewed by the city which expects to eventually contain the platted property, even though it may now be located closer to the other city.

**PREVIOUS COUNCIL ACTION(S):**

Date: July 24, 2000

Roll Call Number: 00-3237

Action: Approved Annexation Moratorium Agreement with Pleasant Hill establishing a line of demarcation between the two cities, over which both agree not to cross for the 10 year term of the agreement.

Date: September 13, 2010

Roll Call Number: [10-1459](#)

Action: Schedule hearing on proposed Annexation Moratorium Agreement and 28E Agreement with the City of Pleasant Hill, (10-25-10). ([Council Communication No. 10-556](#)) Moved by Hensley to adopt. Motion Carried 7-0.

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

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

City staff are seeking to negotiate similar agreements with Ankeny, Altoona and Carlisle. The City of Des Moines has similar existing agreements with Norwalk and Indianola.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the second floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org).