

 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b>	September 24, 2012
	<b>Agenda Item No.</b>	<b>14</b>
	<b>Roll Call No.</b>	<b><u>12-1494</u></b>
	<b>Communication No.</b>	<b><u>12-523</u></b>
	<b>Submitted by:</b>	<b>John F. TeKippe, Fire Chief</b>

**AGENDA HEADING:**

Rescinding the Fire Chief as the City of Des Moines representative to the Polk County Emergency Management Commission, appointing the Mayor as the representative to the Commission and appointing members of the Des Moines City Council and the Fire Chief, as alternate representatives to the Commission to reflect changes in Iowa law.

**SYNOPSIS:**

Recommend approval of making appointments of the designated representative and alternates from the City of Des Moines to the Polk County Emergency Management Commission that reflect changes in Iowa law. A recent Amendment to Iowa Code Chapter 29C requires that only Commission members who are elected officials may vote on the Commission’s budget or budget amendments under either Iowa Code Chapter 24 or 29C. All other Commission business may be conducted by the member representative or designated alternates.

**FISCAL IMPACT: NONE**

**ADDITIONAL INFORMATION:**

The Polk County Emergency Management Commission exists to facilitate and coordinate the efforts of county and community governments in preparing for, responding to, and recovering from unusual and extreme natural and technological events such as floods, tornadoes, blizzards, heat waves, and disease, as well as hazardous materials releases and “homeland security” incidents. The Commission has an all-hazards comprehensive emergency management mission developing contingency plans and procedures, assisting with drills and exercises, coordinating and facilitating the provision of resources and supplemental assistance when events exceed our immediate capabilities, and preparing applications for disaster declarations and emergency relief. This mission is fulfilled through and by the staff of the Polk County Emergency Management Agency. The Commission is comprised of representatives from every community, the Polk County Sheriff, and the Board of Supervisors. The Commission recognized the need to identify and secure a stable minimum revenue stream to fund the operation of the Agency which resulted in a \$0.25 per capita system.

The City of Des Moines participates with the other government members represented on the Polk County Emergency Management Commission in the per capita funding system for the Polk County Emergency Management Agency. The total cost per fiscal year is based on a contribution \$0.25 per person based on the most recent certified federal census of each member’s population. The current 28E Agreement is in the second of its 3-year extension approved by the Council on March 14, 2011. The per capita assessment remains at \$0.25 as established in the original agreement in 2005.

This action makes appointments of designated representatives and alternates from the City of Des Moines to the Polk County Emergency Management Commission that reflects changes in Iowa law. A recent amendment to Iowa Code Chapter 29C requires that only Commission members who are elected officials, may vote on the Commission's budget or budget amendments under either Iowa Code Chapter 24 or 29C. All other Commission business may be conducted by the member representative or designated alternate.

With this action, the Mayor is appointed as the City of Des Moines representative to the Polk County Emergency Management Commission. New by this action is the appointment of members of the Des Moines City Council as alternate representatives. For any Commission activity relating to section 29C.17, subsection 2, or chapter 24 of the Iowa Code, voting on budgets or budget amendments, participation shall only be by a Commission member or a designated alternate that is an elected official from the same designated entity. Therefore, attendance and voting on the Commission budget or a potential budget amendment is required by one of Des Moines' elected officials. This normally occurs one (1) time per year, but may be anticipated to occur 1-2 times per year. Under Commission procedures, when conducting the business of the Commission, only one member representative may cast their vote on behalf of their jurisdiction.

This action also rescinds the appointment of the Fire Chief as the City of Des Moines representative to the Commission and appoints the Fire Chief as an alternate representative. This appointment allows the Fire Chief to continue all other previous responsibilities related to the Commission, including as signatory for Commission By-Laws and service presently as a member of the Commission's Executive Committee.

#### **PREVIOUS COUNCIL ACTION(S):**

Date: March 14, 2011

Roll Call Number: [11-0480](#)

Action: [28E](#) Agreement with Polk County Emergency Management Commission for funding the Polk County Emergency Management Agency and reappointing Chief of the Fire Department as the City's representative. ([Council Communication No. 11-143](#)). Moved by Mahaffey to adopt. Motion Carried 7-0.

Date: February 25, 2008

Roll Call Number: [08-349](#)

Action: [Intergovernmental](#) 28E Agreement with Polk County Emergency Management Commission for funding of Emergency Management Administration and reappointing the Chief of the Fire Department as the City's standing representative to the Commission. ([Council Communication No. 08-079](#)). Moved by Hensley to adopt. Motion Carried 6-1. Absent: Mahaffey.

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

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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