

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: June 23, 2014
	Agenda Item No. 56 Roll Call No. <u>14-0992</u> Communication No. <u>14-295</u> Submitted by: Phillip Delafield, Community Development Director

AGENDA HEADING:

Public hearing to consider an annexation moratorium agreement with the City of Norwalk.

SYNOPSIS:

On June 21, 2004, by Roll Call No. 04-1360, the Des Moines City Council approved an Annexation Moratorium Agreement with the City of Norwalk, wherein the two (2) cities established a line beyond which each city agreed not to annex for the 10-year term of the agreement. No changes are proposed to the existing agreement line. The City of Des Moines desires to reaffirm and extend the Annexation Moratorium Agreement with the City of Norwalk for a new 10-year term pursuant to Iowa Code §368.4. Staff recommends approval of the Annexation Moratorium Agreement.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

The cities of Des Moines and Norwalk 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 (2) miles of each city's respective boundary. The City of Des Moines desires to establish a line between the areas over which the cities of Des Moines and Norwalk exercise their extraterritorial jurisdiction to review subdivision plats and plats of survey, so that each city will review only those subdivision plats and plats of survey of land located within their planned future growth areas. The proposed Annexation Moratorium Agreement and 28E Agreement now on file in the office of the City Clerk renews and extends the term of the existing Annexation Moratorium Agreement with Norwalk, and further provides that each city waives its extraterritorial jurisdiction to review subdivision plats and plats of survey of land located within the other city's planned growth area.

On May 5, 2014 the City Council approved Roll Call No. 14-0695 setting the date of public hearing for June 23, 2014. On May 14, 2014, notice of such hearing was published in the Des Moines Register and in the Record Herald & Indianola Tribune, and a copy of the notice and agreement was mailed to the Warren County Board of Supervisors, the Warren County Attorney, the City of Norwalk and the City Development Board as required by Iowa Code §368.4. On May 15, 2014, notice of such hearing was also published in the North Warren County Town and County News.

The proposed roll call authorizes and directs the Mayor to sign the said Agreement on behalf of the City of Des Moines. Upon execution of the Agreement, the City Clerk shall forward two (2) duplicate

originals of the Agreement to the City Attorney. The City Attorney shall coordinate with the City of Norwalk to complete the execution and recording of the Agreement.

PREVIOUS COUNCIL ACTION(S):

Date: May 5, 2014

Roll Call Number: [14-0695](#)

Action: [On](#) consideration of an annexation moratorium agreement with the City of Norwalk, (6-23-14). ([Council Communication No. 14-214](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: June 21, 2004

Roll Call Number: 04-1360

Action: Approval of an Annexation Moratorium Agreement with the City of Norwalk, wherein the two cities established a line beyond which each city agreed not to annex for the ten year term of the agreement.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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