

Date..... September 24, 2012.....

RESCINDING THE FIRE CHIEF AS THE CITY'S REPRESENTATIVE TO THE POLK COUNTY EMERGENCY MANAGEMENT COMMISSION, APPOINTING THE MAYOR AS THE CITY'S REPRESENTATIVE TO SUCH COMMISSION AND APPROVING THE MEMBERS OF THE CITY COUNCIL AND THE FIRE CHIEF AS THE CITY'S ALTERNATIVE REPRESENTATIVES TO SUCH COMMISSION

WHEREAS, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

WHEREAS, pursuant to Iowa Code §29C.9, the Polk County Emergency Management Commission ("Commission") does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the Cities of Alleman, Altoona, Ankeny, Bondurant, Clive, Des Moines, Elkhart, Grimes, Johnston, Mitchellville, Pleasant Hill, Polk City, Runnells, Urbandale, West Des Moines, and Windsor Heights, and the County of Polk; and

WHEREAS, on March 14, 2011, by Roll Call No. 11-0480, the City Council approved a 28E Agreement with the Commission for Funding of Emergency Management Administration with a three year term and appointed the Fire Chief as the City's representative to the Commission for the term of the 28E Agreement; and

WHEREAS, a recent amendment to Iowa Code §29C.9 requires that only those Commission members who are elected officials may participate in activity relating to the Commission's budget under Iowa Code Chapters 24 and 29C.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the appointment of the Fire Chief as the City's representative to the Polk County Emergency Management Commission for the term of the 28E Agreement between Members of the Polk County Emergency Management Commission For Funding of Emergency Management Administration is hereby rescinded.

BE IT FURTHER RESOLVED that the Mayor is hereby appointed as the City's representative to the Polk County Emergency Management Commission for the remainder of the term of such 28E Agreement and the Members of the City Council and the Fire Chief are hereby appointed as the City's alternate representatives to such Commission for the remainder of the term of such 28E Agreement.

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BE IT FURTHER RESOLVED that the City Council hereby affirms that, in addition to authorizing the Fire Chief and Council Members to act and vote on Commission matters (except for those relating to Iowa Code Chapter 24 and Iowa Code §29C.9 as described above), the Fire Chief is authorized to act as signatory on behalf of the City on matters relating to the Commission By-Laws, and to act as the City's representative on the Commission Executive Committee.

(Council Communication No. 12-523)

Moved by _____ to adopt.

Approved as to Form:

Ann DiDonato
 Ann DiDonato
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

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.

MOTION CARRIED APPROVED

 Mayor

 City Clerk