

THE CITY OF WINDSOR HEIGHTS, IOWA

RESOLUTION NO.14-0418

A RESOLUTION APPROVING THE ADDITION OF THE CITY OF CUMMING TO THE
METROPOLITAN DES MOINES SISTER CITIES COMMISSION

WHEREAS, the City of Windsor Heights is a participating member of the Metropolitan Des Moines Sister Cities Program, which was created through an intergovernmental Iowa Code Chapter 28E agreement in 1989; and

WHEREAS, the City of Cumming, Iowa has requested that it be added to the Sister Cities Program; and

WHEREAS, Article VII, Section 2 of the Intergovernmental Agreement Creating the Metropolitan Des Moines Sister Cities Commission provides that "Additional municipalities may be added to membership of the Commission upon approval of a majority of the parties signatory hereto"; and

WHEREAS, the City Council of the City of Windsor Heights believes it is the best interest of the City and the Commission to approve the addition of the City of Cumming to the Metropolitan Des Moines Sister Cities Program.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Windsor Heights, Iowa, that the addition of the City of Cumming to the Metropolitan Des Moines Sister Cities Program is approved, and the City Administrator and/or the Mayor are hereby authorized to execute any documents necessary to accomplish this addition.

PASSED AND APPROVED THIS __ DAY OF _____ 2014.

Diana Willits, Mayor

Attest:

Jeff Fiegenschuh, City Administrator/Clerk



March 12, 2014

Diana Willits, Mayor
City of Windsor Heights
1133 66th Street
Windsor Heights, IA 50311-1799

Dear Mayor Willits:

Your city, the City of Des Moines, and several others are parties to an *Intergovernmental Agreement Creating the Metropolitan Des Moines Sister Cities Commission*. Article VII, Section 2 of that Agreement provides, "Additional municipalities may be added to membership of the Commission upon approval of a majority of all parties signatory hereto."

A request has been received from the City of Cumming to be added to the Sister Cities Commission in accordance with Article VII, Section 2, of the Agreement. As the Honorary Chair of the Greater Des Moines Sister Cities Commission, I would like to formally ask the City of Windsor Heights to approve the addition of the City of Cumming to the Metropolitan Des Moines Sister Cities Commission (also known as the Greater Des Moines Sister Cities Commission) by motion or resolution of your city council.

Attached is a copy of the agreement which has been signed by Cumming's Mayor, Tom Becker.

Respectfully,

A handwritten signature in cursive script that reads "T.M. Franklin Cownie".

T.M. Franklin Cownie
Mayor

Attachment

cc: Jeffrey Fiegenschuh, City Administrator/Clerk, City of Windsor Heights
Diane Rauh, City Clerk, City of Des Moines
Roger Brown, Assistant City Attorney, City of Des Moines

INTERGOVERNMENTAL AGREEMENT CREATING METROPOLITAN DES MOINES SISTER CITIES COMMISSION

THIS AGREEMENT is made and entered into by, between, and among the Cities of Des Moines, Iowa, and Cumming, Iowa. All parties to this and to prior agreements in the following form are hereinafter called "municipalities").

WHEREAS, the cities of Des Moines, Windsor Heights, Johnston and Ankeny have entered into intergovernmental agreements in the following form for the purpose of establishing the Metropolitan Des Moines Sister Cities Commission, also known as the Greater Des Moines Sister Cities Commission; and,

WHEREAS, the City of Cumming, Iowa, desires to join into the Des Moines Metropolitan Sister Cities Commission.

WITNESSETH:

I. AUTHORITY

The municipalities enter into this Agreement under and by virtue of the powers granted by Chapter 28E, Code of Iowa, 2013.

II. PURPOSES

The other municipalities wish to join and expand the Des Moines Sister Cities Commission to allow for participation in its programs by citizens, schools, businesses, and civic organizations throughout the Des Moines Metropolitan area. To that end, the purposes of the Metropolitan Des Moines Sister Cities Commission shall be:

1. To allow residents and citizens of the Des Moines Metropolitan area and the people of similar cities in foreign nations to acquire a mutual understanding of one another as individuals, as members of their communities, as citizens of their countries and as members of the family of nations.
2. To promote educational and cultural exchanges between institutions and citizens in the Des Moines Metropolitan area, and institutions and citizens of Des Moines' sister cities.
3. To coordinate and facilitate communication between businesses in the Des Moines Metropolitan area wishing to make contact with businesses in the sister cities, and to coordinate business and trade inquiries from Des Moines Sister Cities directed to potential trading and business partners in the municipalities.
4. To assist individuals and educational institutions in the Des Moines Metropolitan area in acquiring and exchanging professional and technical skills with individuals and institutions in sister cities.
5. To develop an awareness of the international Sister Cities Program, its goals, missions, and accomplishments, and to create a bridge of understanding between different cultures of the world.

5. The Commission may establish committees, in number and size as it shall determine, to perform functions or tasks necessary to achieve the purposes of the Commission. The Commission may seek volunteers to serve on its committees, from the municipalities as well as from educational, civic, and cultural institutions located in the municipalities. Committee members who are not members of the Sister Cities Commission shall serve in an advisory capacity only, and shall have no vote on matters coming before the Commission. Each member who serves on a committee shall be formally appointed to such committee for a standard term to be defined by the Commission.
6. The Commission shall keep and maintain a true and complete record of its activities, including minutes of all meetings and actions, reflective of discussions and decisions on each issue or action, and showing the vote of each member on each question, or, if absent and failing to vote, indicating that fact. All Commission meetings shall be governed by the Iowa Open Meetings Law (Chapter 21 of the Code of Iowa).

V. POWERS

The Commission shall have and may exercise the following powers:

1. To make and enforce rules and regulations for the conduct of its business and affairs, and for the expenditure of funds available to the Commission.
2. To contract for the expenditure of funds for activities, supplies, travel, and events as necessary to promote the purposes of the Commission as set forth herein, up to but not exceeding the budget available to the Commission during any fiscal period.
3. To contract for personnel on a part time or full time basis, subject to a specific allocation of funding for such purpose, and subject to the total yearly budgetary allocations available to the Commission from the municipalities.
4. To accept grants, gifts, and contributions from public bodies and private persons, firms, or corporations to assist the Commission in the accomplishment of its goals.
5. The Commission shall not have the power to purchase or contract for the purchase of real estate, nor to bind the municipalities to any expenditure of funds beyond that which, is contained in the then current operating budget of the Commission.

VI. FINANCING

1. The Commission shall prepare a yearly operating budget based upon a fiscal year beginning July 1. The budget for the next succeeding fiscal year shall be adopted by the Commission no later than December 1st and shall thereafter be presented to each of the municipalities for their review and approval prior to December 15th of each year. The Commission shall request that each municipality provide in its operating budget for its share of the Commission budget based upon the formula set forth herein, or in an amendment to this agreement.
2. Each municipality's share of the Commission's general operating budget, exclusive of travel expenses, shall be based on a per capita levy, using the last available Federal census for each

2. Any municipality withdrawing from the Agreement shall, in addition to written notification to each of the other municipalities, cause a copy of the formal action taken by its City Council to be filed with the Secretary of State and with the County Recorder.
3. Upon withdrawal, a municipality shall be entitled to receive only the unexpended and unobligated balance remaining in its travel account.
4. The Commission may be terminated and dissolved at any time by the vote of a majority of its membership. Upon termination, the treasurer shall pay any outstanding obligations of the Commission and shall remit to each municipality the excess operating funds, if any, in the same proportion as such municipalities contributed to the Commission budget for the then current fiscal year. Any unused travel funds shall be remitted to the municipalities to which they belong.

IX. MISCELLANEOUS

1. All notices and other communications hereunder shall be in writing, and shall be hand delivered or sent by U.S. Mail, addressed as follows:

Attention: Mayor
City of Des Moines
400 Robert D. Ray Drive
Des Moines, Iowa 50309-1891

Attention: City Clerk
City of Cumming
PO Box 100
649 North 44th Street
Cumming, Iowa 50061

2. This Agreement shall become effective upon filing with the Secretary of State of Iowa and the Recorder of Polk County, Iowa.

CITY OF WINDSOR HEIGHTS, IOWA

By _____
Diana Willits, Mayor

Attest:

Jeffrey Fiegenschuh, City Administrator/Clerk

Authorized by Motion or Resolution and Roll Call No. 14-_____ passed by the
Ankeny City Council on _____, 2014.