



AGENDA ITEM: H1

**CITY OF WAUKEE, IOWA
CITY COUNCIL MEETING COMMUNICATION**

MEETING DATE: August 16, 2021

AGENDA ITEM: Consideration of approval of a resolution approving a 28E agreement providing for an annexing moratorium between the City of Waukeee, Iowa and the City of West Des Moines, Iowa

FORMAT: Resolution

SYNOPSIS INCLUDING PRO & CON:

FISCAL IMPACT INCLUDING COST/BENEFIT ANALYSIS:

COMMISSION/BOARD/COMMITTEE COMMENT:

STAFF REVIEW AND COMMENT: Staff would recommend approval of the moratorium agreement.

RECOMMENDATION: Approve the resolution

ATTACHMENTS: I. Proposed resolution

PREPARED BY: Brad Deets, Development Services Director

REVIEWED BY:

PUBLIC NOTICE INFORMATION –

NAME OF PUBLICATION:

DATE OF PUBLICATION:

THE CITY OF WAUKEE, IOWA

RESOLUTION 2021-

APPROVING A 28E AGREEMENT PROVIDING FOR AN ANNEXING MORATORIUM FOR A PERIOD OF TEN YEARS BETWEEN THE CITIES OF WAUKEE AND WEST DES MOINES

IN THE NAME AND BY THE AUTHORITY OF THE CITY OF WAUKEE, IOWA

WHEREAS, the City of Waukee, Dallas County, State of Iowa, is a duly organized Municipal Organization; **AND**,

WHEREAS, Section 368.4 of the Code of Iowa provides that a City, following notice and hearing, may by Resolution agree with another City or Cities to refrain from annexing specifically described territory for a period not to exceed ten years; **AND**,

WHEREAS, the Waukee City Council held a public hearing on the matter of entering into an annexing moratorium agreement with the City of West Des Moines on August 16, 2021, following publication of Notice of the Hearing in The Dallas County News on July 15, 2021 and August 5, 2021, and following service of the Notice of Hearing upon the City Development Board and the Dallas County Board of Supervisors, by regular mail, on July 12, 2021; **AND**,

WHEREAS, the City Council believes it is in the best interest of the City of Waukee to enter into an annexing moratorium with the City of West Des Moines for a period of ten years.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Waukee, Iowa that the Agreement for Annexation and Joint Exercise of Governmental Powers Pursuant to Iowa Code Chapters 28E and 368 between the Cities of Waukee and West Des Moines, Iowa (a copy of which is attached hereto) providing for an agreement among the Cities to refrain from annexing specifically described territory for a period not to exceed ten years is hereby approved.

BE IT THEREFORE RESOLVED by the City of Waukee City Council that the Mayor and City Clerk are hereby authorized to sign said Agreement on behalf of the City of Waukee.

Passed by the City Council of the City of Waukee, Iowa, and approved this the 16th day of August 2021.

Courtney Clarke, Mayor

Attest:

Rebecca D. Schuett, City Clerk

RESULTS OF VOTE:

AYE

NAY

ABSENT

ABSTAIN

Anna Bergman Pierce

R. Charles Bottenberg

Chris Crone

Larry R. Lyon

Ben Sinclair