

**28E AGREEMENT
MEMBERS OF THE POLK COUNTY EMERGENCY
MANAGEMENT COMMISSION
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

This Agreement by and among Members of the Polk County Emergency Management Commission for Funding of Emergency Management Administration ("Agreement") is entered into on the date last executed by the parties.

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 City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

It is hereby agreed by and among the members of the Commission as follows:

1. **28E Agreement.** This agreement is entered into pursuant to the provisions of Chapter 28E of the Code of Iowa.
2. **No Entity.** No separate, legal or administrative entity is created by this Agreement. No real property will be acquired in the performance of this Agreement.
3. **Administration.** The Chairperson of the Commission, or the Chairperson's designee, shall administer performance of this Agreement.

4. **Term.** The term of this Agreement shall be three years from the effective date, and will specifically include assessments in budget years 2017/2018, 2018/2019 and 2019/2020.
5. **Termination.** This Agreement may be terminated at a regular meeting or at a special meeting called for such purpose, by an affirmative vote of representatives from Member governmental entities whose combined population is not less than two-thirds (2/3) of the total population within Polk County as presented on Attachment 1, which vote must be ratified by resolution of the governing bodies of Member governmental entities whose combined population is not less than two-thirds (2/3) of the total population within Polk County as presented on Attachment 1.
6. **Assessment.** Each Member shall fund Commission administration on the basis of a \$0.50 per capita annual allocation, according to the most recent certified federal census of Member populations in Polk County. These populations and the corresponding annual allocations are presented on Attachment 1, which is incorporated herein. Annual assessments are due and payable in the office of the Commission by December 31 of each year during the term of the Agreement.
7. **Execution of Agreement.** Member governmental entities shall approve this Agreement by resolution or motion of their respective council or board, which shall authorize execution of the Agreement. The executed Agreement will then be filed in the offices of the Iowa Secretary of State and the Recorder of Polk County by Polk County, in accordance with Chapter 28E of the Code of Iowa. The Agreement shall become effective when recorded in the Polk County Recorder's Office and shall remain in effect unless terminated as provided herein. This is the entire Agreement among the parties and may be amended only upon an affirmative vote of representatives from Member governmental entities whose combined population is not less than two-thirds (2/3) of the total population within Polk County as presented on Attachment 1, which vote must be ratified by resolution of the governing bodies of Member governmental entities whose combined population is not less than two-thirds (2/3) of the total population within Polk County as presented on Attachment 1. The laws of the State of Iowa apply to this Agreement.

ATTACHMENT 1

Polk County Emergency Management Commission Most Recent Certified Federal Census Populations¹

Jurisdiction	Census Year (Certified)	Certified Census Population in Polk County	\$0.50 Assessment Amount
Alleman city	2010	432	\$216.00
Altoona city	2010	14,541	\$7,270.50
Ankeny city	2014	54,598	\$27,299.00
Balance of County	2010	27,527	\$13,763.50
Bondurant city	2015	5,493	\$2,746.50
Carlisle city	NA	0	\$0.00
Clive city	2010	10,730	\$5,365.00
Des Moines city	2010	203,419	\$101,709.50
Elkhart city	2010	683	\$341.50
Granger city	NA	0	\$0.00
Grimes city	2015	11,423	\$5,711.50
Johnston city	2016	20,460	\$10,230.00
Mitchellville city	2010	2,228	\$1,114.00
Norwalk city	NA	0	\$0.00
Pleasant Hill city	2010	8,785	\$4,392.50
Polk City city	2010	3,418	\$1,709.00
Runnells city	2010	507	\$253.50
Sheldahl city	NA	0	\$0.00
Urbandale city	2015	33,058	\$16,529.00
West Des Moines city	2015	45,209	\$22,604.50
Windsor Heights city	2010	4,860	\$2,430.00
Total		447,371	\$223,685.50

¹ Source: 2010 U.S. Census Bureau – Most recent federally-certified census.

CITY OF ANKENY

IN WITNESS WHEREOF, the City of Ankeny has caused this Agreement to be executed by its duly authorized officers on the day and year indicated below.

By:

Attest:

Mayor

Deputy City Clerk

Date:_____

Date:_____