

## ORDINANCE NO. 15,288

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by repealing and replacing Sections 2-1116 through 2-1118, and by adding and enacting new Sections 2-1114, 2-1119 and 2-1120 regarding the creation and operation of the Greater Des Moines Sister Cities Commission.

BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as amended by Ordinance No. 11,864 passed August 3, 1992, be and is hereby amended by repealing and replacing Sections 2-1116 through 2-1118, and by adding and enacting new Sections 2-1114, 2-1119 and 2-1120 regarding the creation and operation of the Greater Des Moines Sister Cities Commission, as follows:

### DIVISION 3. GREATER DES MOINES SISTER CITIES COMMISSION

#### **Sec. 2-1114. Purpose.**

The City of Des Moines hereby declares its support for and continued participation in the Sister Cities International Program for the following purposes:

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.

**Sec. 2-1116. Created.**

- (a) There is created the greater Des Moines sister cities commission, sometimes also known as the metropolitan Des Moines sister cities commission, which shall consist of 15 members appointed by the city council and one member appointed by the city council of each other city which has entered into an intergovernmental agreement which remains in effect with the City of Des Moines, to participate in the greater Des Moines sister cities commission.
- (b) For purposes of taking action on any matter before the Commission, a quorum shall consist of a majority of the entire Commission membership, each member having one vote on all matters coming before the Commission.
- (c) Except as provided below, all members of the commission shall be subject to the rules and regulations generally applicable to the members of city boards and commissions. The members of the commission appointed by the other participating cities are exempt from the following requirements under this Code:
  - (1) The residency requirements in section 2-1049 of this Code; and,
  - (2) The term limits in section 2-1059 of this Code.
- (d) Except as provided below, the commission is subject to the rules and regulations generally applicable to city boards and commissions. The commission is exempt from the following requirements under this Code:
  - (1) The requirement in section 2-1055 that all rules and regulations adopted by a commission be subject to approval by the city council. However any rules adopted by the commission shall be in writing and filed with the city clerk.

**Sec. 2-1117. Appointment; officers.**

- (a) The members of the greater Des Moines sister cities commission shall be appointed or reappointed and shall hold office for a maximum term of five years and until their successors shall be appointed and qualified. The members appointed by the city of Des Moines shall serve for a term of 5 years. If a vacancy occurs in the office of a commissioner, the new appointee shall serve for the balance of his or her predecessor's term. The office of a commissioner shall become vacant upon the adoption of a resolution declaring such vacancy by the governing body of the city responsible for appointing the successor to that office.
- (b) The mayor shall be honorary chair of the commission. The Chair, Vice-Chair, and all other elected positions within the commission shall be determined by majority of the commission membership. Those elected shall serve for terms set forth in such rules and regulations as the commission may adopt.
- (c) The city manager shall designate a city employee to serve as secretary of the commission and to perform such other duties as may be assigned by the city manager to coordinate and expedite the work of the commission. The secretary shall not be entitled to a vote.

**Sec. 2-1118. Powers and duties.**

The powers and duties of the greater Des Moines sister cities commission are to:

- (1) Further the economic cooperation and cultural exchange on the basis of mutual friendship and amity between the cities in the greater Des Moines area and other cities of the world.

- (2) Develop, compile, coordinate and exchange information with officials and citizens of the designated sister cities, and other cities and foreign visitors.
- (3) Plan, develop and carry out mutual economic and cultural activities with officials and citizens of the designated sister cities, and other cities and foreign visitors.
- (4) Encourage and cultivate mutual understanding of the respective economic problems and cultural development between the cities in the greater Des Moines area and other cities of the world.
- (5) Recommend to the city council of Des Moines and the other participating cities such cities of the world as, in the opinion of the commission, are appropriate, in view of the goals of the commission, for designation as sister cities.
- (6) Prepare an annual budget for the commission for recommendation to the city councils of Des Moines and the other participating cities.
- (7) Make and enforce rules and regulations for the conduct of its business and affairs, and for the expenditure of funds available to the commission.
- (8) 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, 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.
- (9) 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.
- (10) 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.
- (11) 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.

**Sec. 2-1119. Sister Cities.**

The city council may by resolution designate a foreign city as a sister city upon a finding that such other city bears a close resemblance to the City of Des Moines or the greater Des Moines area in demographics, economics and geography, or has close cultural ties to citizens of Des Moines.

**Sec. 2-1120. Financing.**

- (a) 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 the agreement between the participating

- municipalities.
- (b) 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 municipality, (i.e., Population of municipality divided by total population of all participating municipalities.) In addition to the general operating budget, each municipality may allocate funds to be used specifically for travel purposes for its representative or representatives to the commission, or for elected and/or appointed representatives of the municipality who participate in commission activities. No municipality may utilize or borrow against travel funds provided by another municipality without approval of that municipality. The commission treasurer shall establish a separate travel account for each municipality. Any funds remaining in the travel account of a municipality at the end of any fiscal year shall be kept in trust for that municipality, available to be spent for such purpose in succeeding years.
  - (c) An official designated by the City Council of the City of Des Moines shall act as treasurer for the commission and, upon request from any municipality participatory to this agreement, the treasurer shall provide an accounting of all commission receipts and expenditures during the fiscal year, including travel funds.
  - (d) Each municipality's share of commission budget shall be due and payable to the treasurer in quarterly installments, no later than July 15, September 15, January 15, and April 15 of each fiscal year.
  - (e) Payment of its share of the yearly operating budget shall be a membership requirement of each municipality. Failure of a municipality to pay its share of the yearly operating budget in a timely manner shall be considered a delinquency for purposes of this Agreement. During any period of delinquency by a municipality in the payment of its share of the operating budget, such municipality and all groups or organizations located in such municipality, shall not be entitled to the services of the commission or benefits of commission membership.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 14-0905), passed by the City Council of said City at a meeting held June 9, 2014 signed by the Mayor on June 9, 2014 and published and provided by law in the Business Record on June 27, 2014. Authorized by Publication Order No. 8796.

Diane Rauh, City Clerk