



**Roll Call Number**

**Agenda Item Number**

81 ✓

Date December 20, 2021

**RESOLUTION HOLDING HEARING ON PROPOSED AMENDMENTS TO THE CITY PRECINCT AND WARD BOUNDARIES AND APPROVING SAME, AND APPROVING AGREEMENTS WITH POLK COUNTY, WARREN COUNTY AND THE CITY OF NORWALK, IOWA, FOR COMBINED PRECINCTS**

WHEREAS, in accordance with Iowa Code Section 49.7 the City of Des Moines is required to amend the City precinct and ward boundaries using the population data for the 2020 federal decennial census to bring those boundaries in conformance with the requirements of Iowa Code Section 49.3, 49.5 and 372.13(7); and

WHEREAS, on November 30, 2021, by Roll Call number 21-1777, the City Council directed that a public hearing be held on December 20, 2021, at 5:00 p.m. in the Council Chambers to consider proposed precinct and boundary amendments prior to adoption of ordinances amending the City precinct and ward boundaries; and

WHEREAS, notice of such hearing was published in the Des Moines Register on December 14, 2021;

WHEREAS, the proposed new precinct and ward boundaries were submitted to the Polk County Auditor and Warren County Auditor, acting in the role Commissioner of Elections for their respective Counties, for review and comment as required by law, and the amendments requested or required by the Auditors are incorporated in the updated proposed precinct and ward boundaries described below with precinct boundaries depicted on Exhibit "1" attached hereto and ward boundaries depicted on Exhibit "2" attached hereto; and

WHEREAS, the proposed precincts are renumbered following the previous precinct number scheme, with DM-1 in the NE corner, as requested by the Polk County Auditor; and

WHEREAS, the proposed precincts are revised to propose a precinct plan with 75 precincts, in order to save costs and make elections as efficient as possible and to keep Carlisle, Southeast Polk and Johnston school districts in separate precincts for election efficiency and voter convenience, as requested by the Polk County Auditor; and

WHEREAS, for voter convenience the boundaries of the area between Wards 1 and 3 are adjusted to incorporate as much of the Drake University campus as possible into a single precinct, as requested by the Polk County Auditor; and

WHEREAS, the creation of combined City/Township precincts identified as Saylor 2, and Des Moines 24 require an agreement with Polk County proposed substantially in the form attached hereto as Exhibit "3"; and,

Date ..... December 20, 2021 .....

WHEREAS, the creation of the combined Norwalk/Des Moines precinct 61 requires an agreement with the City of Norwalk substantially in the form attached hereto as Exhibit "4"; and,

WHEREAS, the creation of the combined City/Township precinct 73 requires an agreement with Warren County proposed substantially in the form attached hereto as Exhibit "5"; and

WHEREAS, in accordance with the published notice those interested in the proposed precinct and ward boundary amendments, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. Upon due consideration of the facts, statements of interested persons and arguments of counsel, the objections to said proposed ordinance amending the City precinct and ward boundaries as identified above are hereby overruled and the hearing is closed.
2. The proposed Agreement with Polk County for a combined City/Township Saylor 2 precinct, and for a combined City/Township Des Moines 24 Precinct is hereby approved, subject to approval of the final form of agreement by the Legal Department. The Mayor is hereby authorized and directed to sign the Agreement on behalf of the City, and the City Clerk is hereby directed to attest to the Mayor's signature on such document.
3. The proposed Agreement with the City of Norwalk to allow for Precinct 61 to include a portion of the City of Norwalk is hereby approved, subject to approval of the final form of agreement by the Legal Department. The Mayor is hereby authorized and directed to sign the Agreement on behalf of the City, and the City Clerk is directed to attest to the Mayor's signature on such document.
4. The proposed Agreement with Warren County to allow for combined City/Township Precinct 73 is hereby approved, subject to approval of the final form of agreement by the Legal Department. The Mayor is hereby authorized and directed to sign the Agreement on behalf of the City, and the City Clerk is hereby directed to attest to the Mayor's signature on such document.
5. The proposed new precinct and ward boundaries as depicted on Exhibits "1" and "2" and more specifically described in the accompanying ordinances are hereby approved, subject to final passage of the ordinances.



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- 6. The Mayor is hereby authorized to sign the submittal document with the Iowa Secretary of State on behalf of the City, and the City Clerk is authorized to attest to the Mayor's signature on such document.

MOVED by \_\_\_\_\_ to adopt.

FORM APPROVED:

*Judy K. Parks-Kruse*  
 Judy K. Parks-Kruse  
 Assistant City Attorney

Exhibits:

- "1" - Precinct Boundary Map
- "2" - Ward Boundary Map
- "3" - Agreement with Polk County
- "4" - Agreement with City of Norwalk
- "5"- Agreement with Warren County

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

**CERTIFICATE**

I, P. Kay Cmelik, 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



## MEMORANDUM OF AGREEMENT

The parties to this agreement are the City of Des Moines, Iowa ("City") and Polk County, Iowa ("County").

**DRAFT**

### WHEREAS:

1. Following the federal decennial census, and after the redistricting of congressional and legislative districts, city councils and county board of supervisors are required to complete any changes in precinct and ward boundaries (for cities) or precinct and supervisor districts (for counties).
2. Election precincts which are comprised partially of unincorporated territory within a county and partially of part of a city may be established, if a mutual agreement which is satisfactory to the board of supervisors of the county and to the city council of the city is adopted and submitted to the state commissioner as part of the certification of precinct boundaries.
3. The City and County desire to have two combined precincts namely Des Moines-24 and Des Moines/Saylor-2 Island Precinct also known as Polk County Saylor-2 Precinct.

**THEREFORE**, the parties agree to the provisions set forth below:

- A. Des Moines Precinct 24 shall be composed of an incorporated population of 2,532 persons who are residents of the City and an unincorporated population of 695 persons who are residents of Delaware Township, in the County, for a total population of 3227, as is shown on the map attached hereto as Exhibit \_\_\_\_.
- B. The Polk County Saylor-2 Precinct shall be composed of an incorporated population of 12 persons who are residents of the City and an unincorporated population of 3,221 persons who are residents of Saylor Township in Polk County, for a total combined population of 3233, as is shown on the map attached hereto as Exhibit \_\_\_\_.

**City of Des Moines, Iowa**

**Polk County, Iowa**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021

\_\_\_\_\_  
Frank Cownie  
Mayor

\_\_\_\_\_  
Angela Connolly  
Chairperson, Polk County Board of  
Supervisors

Attest:

Attest:

\_\_\_\_\_  
By: P. Kay Cmelik, City Clerk

\_\_\_\_\_  
Becky Dewey, Clerk to the Board

APPROVED AS TO FORM:

\_\_\_\_\_  
Judy K. Parks-Kruse, Assistant City Attorney

## MEMORANDUM OF AGREEMENT

The parties to this Agreement are the City of Norwalk, Iowa ("Norwalk"), and the City of Des Moines, Iowa ("Des Moines").

**DRAFT**

### WHEREAS:

1. Following the federal decennial census, and after the redistricting of congressional and legislative districts, city councils and county boards of supervisors are required to complete any changes in precinct and ward boundaries (for cities) or precinct and supervisor districts (for counties).
2. Election precincts which are composed of territory within two cities may be established, if an agreement which is mutually satisfactory to the city councils of the two cities is adopted and submitted to the State Commissioner of Elections as part of the certification of precinct boundaries.
3. The City of Norwalk, Iowa, and the City of Des Moines, Iowa, agree to establish a combined precinct consisting of Des Moines Precinct 61 and Norwalk Precincts 4 and 5, as shown by the map attached hereto as Exhibit "A".
4. The area depicted in Exhibit "A" is within the city limits of the City of Norwalk, Iowa, and generally encompasses right-of-way in and around the interchange of U.S. Highway 5 with U.S. Highway 28 (also known as 'Sunset Drive' in Norwalk). It is comprised of Census block numbers 1068, 1069, and 1070.
5. The area encompassed by this agreement has a population of 0 persons within it.

THEREFORE, the parties hereby agree to the creation of a combined precinct, to be known as Norwalk Precincts 4 and 5, and as Des Moines Precinct 61, with the area that is in the City of Norwalk having a population of 0.

**City of Des Moines, Iowa**

Dated this \_\_\_ day of December, 2021.

By: \_\_\_\_\_  
T.M. Franklin Cownie, Mayor

Attest:

By: \_\_\_\_\_  
P. Kay Cmelik, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Judy K. Parks-Kruse  
Assistant City Attorney

**City of Norwalk, Iowa**

Dated this \_\_\_ day of December, 2021.

By: \_\_\_\_\_  
Tom Phillips, Mayor

Attest:

By: \_\_\_\_\_  
Lindsey Offenburger, City Clerk



# MEMORANDUM OF AGREEMENT

The parties to this agreement are the City of Des Moines, Iowa ("City") and Warren County, Iowa ("County"). This agreement is entered into as of December 20, 2021.

**DRAFT**

## WHEREAS:

1. Following the federal decennial census, and after the redistricting of congressional and legislative districts, city councils and county boards of supervisors are required to complete any changes in precinct and ward boundaries (for cities) or precinct and supervisor districts (for counties)
2. Election precincts which are composed partially of unincorporated territory within a township and partially of part of a city may be established, if an agreement which is mutually satisfactory to the board of supervisors of the county and to the city council of the city is adopted and submitted to the state commissioner as part of the certification of precinct boundaries.
3. The City and County desire to have the following combined precinct: Des Moines Precinct \_\_ (to also be known as Warren County Precinct Greenfield 1 DM85).

Therefore, the parties agree that Des Moines Precinct \_\_ (also known as Warren County Precinct Greenfield 1 DM85) shall be composed of an incorporated population of 73 persons who are residents of the City, and an unincorporated population of 1,664 persons in Warren County, of whom 1,664 are residents of Greenfield Township, and 0 (zero) are residents of Allen Township, for a total population of 1,737 with the boundaries being as is shown on the map attached hereto as Exhibit "A".

### City of Des Moines, Iowa

### Warren County, Iowa

By: \_\_\_\_\_  
T.M. Franklin Cownie, Mayor

By: \_\_\_\_\_  
Aaron DeKock, Chairman Board of Supervisors

Attest:

Attest:

By: \_\_\_\_\_  
P. Kay Cmelik, City Clerk

By: \_\_\_\_\_  
Traci VanderLinden, Clerk to the Board

APPROVED AS TO FORM:

APPROVED AS TO FORM:

\_\_\_\_\_  
Judy K. Parks-Kruse  
Assistant City Attorney

\_\_\_\_\_  
Dawn M. Bowman  
Assistant County Attorney



# MEMORANDUM OF AGREEMENT

The parties to this agreement are the City of Des Moines, Iowa ("City") and Warren County, Iowa ("County"). This agreement is entered into as of December 20, 2021.

## WHEREAS:

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## City of Des Moines, Iowa

## Warren County, Iowa

By: \_\_\_\_\_  
T.M. Franklin Cownie, Mayor

By: \_\_\_\_\_  
Aaron DeKock, Chairman Board of Supervisors

Attest:

Attest:

By: \_\_\_\_\_  
P. Kay Cmelik, City Clerk

By: \_\_\_\_\_  
Traci VanderLinden, Clerk to the Board

APPROVED AS TO FORM:

APPROVED AS TO FORM:

\_\_\_\_\_  
Judy K. Parks-Kruse  
Assistant City Attorney

\_\_\_\_\_  
Dawn M. Bowman  
Assistant County Attorney