



Council Communication

Office of the City Manager

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| Date: | September 26, 2011 |
| Agenda Item No. | 54 |
| Roll Call No. | <u>11-1672</u> |
| Communication No. | <u>11-619</u> |
| Submitted by: | Richard A. Clark, City Manager |

AGENDA HEADING:

First reading and waiver of readings of an ordinance amending the boundary descriptions of the City precinct and ward boundaries in Appendix B to the City Code, and approval of agreements with Polk and Warren counties for combined city/township precincts.

SYNOPSIS:

On August 29, 2011, the City Council approved new precinct and ward boundaries. The proposed new ordinance splits Precinct 29 into a pair of precincts to be designated as Precincts 29 and 29A, and amends the description of the precinct boundaries to resolve objections raised by the State Director of Elections. The ward boundaries remain as previously approved. The accompanying resolution approves agreements with Polk and Warren counties for the combined city/township precincts required where the City boundary splits a census block or contains land which has been annexed into the City but is not shown by the 2010 U.S. Census data to be part of the City.

FISCAL IMPACT: NONE

Amount: The new Precinct 29A is expected be combined with Precinct 29 for City elections, with no anticipated increase in City election costs.

Funding Source: N/A

ADDITIONAL INFORMATION:

By Ordinance No. 15,038 passed August 29, 2009, the City Council approved new precinct and ward boundaries. This action splits Precinct 29 into a pair of precincts to be designated as Precincts 29 and 29A which will be treated as a single precinct for City elections, and amends the description of the boundaries of a number of other precincts to resolve objections received from the Iowa Director of Elections.

The Iowa Director of Elections has recently re-interpreted the Iowa law governing the creation of city and county precincts to prohibit precincts that split a census block, even when the census block is split by a city boundary. This has forced Iowa cities and counties to create combined city/township precincts and city/city precincts that extend across jurisdictional lines wherever a city boundary splits a census block established in the 2010 Decennial Census. The City boundaries adjoining a number of City precincts split census blocks that extend into the adjoining unincorporated area, or in one case, into the City of Norwalk. The City is therefore required to work with the affected jurisdiction to create combined city/township precincts that do not split any census blocks.

The City boundaries within the following precincts split a census block or contain recently annexed land that is not shown by the 2010 U.S. Census data to have been annexed, requiring such precincts be combined precincts that are shared with the other jurisdiction identified below.

| Combined Precincts | Other jurisdiction sharing the Combined Precinct |
|--------------------|--|
| DSM 1 | Polk County, Delaware Township |
| DSM 5A | Polk County, Saylor Township |
| DSM 7A | Polk County, Saylor Township |
| DSM 10 | Polk County, Webster Township |
| DSM 29 | Polk County, Clay and Delaware Townships |
| DSM 29A | Polk County, Delaware Township |
| DSM 72 | Polk County, Allen Township |
| DSM 82 | City of Norwalk, Iowa |
| DSM 84 | Polk County, Bloomfield Township |
| DSM 85 | Warren County, Greenfield and Allen Townships |
| DSM 86 | Warren County, Greenfield Township |

The only change made by the present action to the precinct boundaries to be used for City election purposes is to split Precinct 29. Des Moines Precinct 29 was originally combined with Polk County Precinct Delaware 2 to create a combined city/town precinct. However the combined city/township precinct has been discovered to conflict with the new supervisor district boundaries for Polk County. To remedy that conflict, Polk County has requested that Precinct 29 be split into two precincts to be designated as Des Moines Precincts 29 and 29A. The amended Precinct 29 consists of all the City territory shown by the 2010 U.S. Census to be located within the City, together with the adjoining unincorporated portion of Highway 65. The remaining portions of original Precinct 29 that are incorrectly shown by the 2010 U.S. Census to be outside the City boundaries have been combined with the balance of Polk County Precinct Delaware 2 to create a city/township precinct to be designated for City purposes as City Precinct 29A.

The creation of new combined precincts to address the split census blocks and the parcels within the City that the U.S. Census data incorrectly shows to be outside the City, requires new agreements with Polk and Warren Counties. No change is required to the agreement with the City of Norwalk for Precinct 82, a combined city/city precinct that extends into both cities.

PREVIOUS COUNCIL ACTION(S):

Date: August 29, 2011

Roll Call Number: 11-1494

Action: **On** proposed amendments to the City Precinct and Ward Boundaries and approving agreements with Polk County and the City of Norwalk, for combined precincts. ([Council Communication No. 11-580](#)) **Moved by Coleman to adopt; refer to the City Manager to explore the possibility of combining municipal elections with other elections. Motion Carried 7-0.**

Date: August 8, 2011

Roll Call Number: 11-1370

Action: [Schedule hearing on](#) proposed amendments to the City Precinct and Ward Boundaries. (8-29-11). **Moved by Mahaffey to adopt. Motion Carried 7-0.**

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

The City staff will use the census appeal process to request that the U.S. Census data be corrected to reflect the current boundaries of the City of Des Moines. However, the window of time allowed to appeal the census data from the 2010 federal decennial census does not open until after the state imposed deadline for completing the new City precinct and ward boundaries.

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