

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	October 24, 2011
	Agenda Item No.	48
	Roll Call No.	<u>11-1813</u>
	Communication No.	<u>11-671</u>
	Submitted by:	Larry Hulse, Assistant City Manager

AGENDA HEADING:

Amendments to the City precinct and ward boundaries and approving amended agreements with Polk County for combined precincts 7, 29 and 29A.

SYNOPSIS:

The Polk County redistricting plan has been conditionally approved by the State Election Commissioner subject to the City of Des Moines agreeing to adjust the boundaries of Des Moines Precincts 7, 7A, 29 and 29A. Precinct 7A was previously a combined city/township precinct. These adjustments are required to reduce the number of County Supervisor districts that extend into the City of Des Moines.

Precinct 7A was established as a combined city/township precinct. The census tract containing the portion of Precinct 7A within the City of Des Moines is proposed to be combined with Precinct 7, eliminating the need for Des Moines Precinct 7A. Des Moines Precincts 29 and 29A were both established as combined city/township precincts. The boundary between Precincts 29 and 29A is also proposed to be changed. The amended Precincts 7, 29 and 29A will all be combined city/township precincts, which must be authorized by an agreement between the City and County. The proposed resolution approves an agreement with Polk County for the establishment of the amended Precincts 7, 29 and 29A as combined city/township precincts. The ordinance amends the descriptions of the precincts in the City Code, and eliminates the reference to Precinct 7A in the description of the wards.

FISCAL IMPACT:

Amount: None. The net result of the action is to eliminate one precinct - Des Moines Precinct 7A. However, since Precinct 7A was to be combined with Precinct 7 for all City elections, the change should have no financial impact upon the City.

Funding Source: N/A

ADDITIONAL INFORMATION:

By letter dated October 17, 2011, the Iowa Director of Elections has rejected the proposed Polk County redistricting map in its current form. The Director then proceeded to identify specific changes to the proposed redistricting map that would allow the map to be approved. Those changes include the amendments to Des Moines Precincts 7, 7A, 29 and 29A made by the proposed ordinance now before the City Council. Polk County has requested that the City of Des Moines make these changes to the City precincts to allow the County to obtain approval of its preferred redistricting map.

The City Council has discretion to approve or deny the requested amendments to the City precincts. If the City Council were to deny these amendments, Polk County would be compelled to substantially amend its redistricting map to work within the existing City precincts.

While it is highly unlikely, it is not entirely impossible that the denial of the precinct adjustments requested by Polk County could ultimately result in a State imposed change to the City precincts. If the City Council were to deny the requested precinct adjustments, and if Polk County were unable to create an acceptable redistricting map using the approved City precincts, it is possible that the State Election Commissioner might argue that the State's prior approval of the Des Moines reprecincting plan was only "preliminary", allowing the State Election Commissioner to impose a redistricting solution for Polk County upon both Polk County and the City of Des Moines.

The proposed amendments to the City precincts will result in the elimination of City Precinct 7A, with the City portion of Precinct 7A being combined into Des Moines Precinct 7. However the elimination of Precinct 7A should not affect how City elections are conducted. The Polk County Election Commissioner previously assured City Staff that Precincts 7 and 7A would be combined for City elections, so the loss of Precinct 7A should not affect the operation or cost of future City elections.

The adjustments to the boundary between Precincts 29 and 29A should similarly have no impact upon future City elections. The Polk County Election Commissioner previously assured City Staff that Precincts 29 and 29A would be combined for City elections, so the proposed change to the boundary between the two precincts should not affect the operation or cost of future City elections.

PREVIOUS COUNCIL ACTION(S):

Date: October 10, 2011

Roll Call Number: [11-1722](#) and [11-1723](#)

Action: [Amending](#) Chapter 2, Section 2-4 of the Municipal Code to repeal and replace the description of Precinct 7A in Section 1.7A of Appendix B, Election Precincts and Wards. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

And, [Final](#) consideration of ordinance above (waiver requested by the Legal Department), requires six votes. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #15,053. Motion Carried 7-0.**

Date: September 26, 2011

Roll Call Number: [11-1672](#) and [11-1674](#)

Action: [Amendments](#) to City precinct and ward boundaries and approving agreements with Polk and Warren Counties for combined precincts. ([Council Communication No. 11-619](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

And, [Final](#) consideration of ordinance above (waiver requested by City Manager), requires six votes. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for**

passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#15,051](#). Motion Carried 7-0.

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.** On the same date Ordinance No. 15,038 was passed unanimously enacting the new City Precinct and Ward Boundaries.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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