



Date March 21, 2022

APPROVING REVISED COMBINED PRECINCT AGREEMENT BETWEEN THE CITY OF NORWALK AND THE CITY OF DES MOINES

WHEREAS, on December 20, 2021, by Roll Call No. 21-1982, the City Council adopted ordinances making amendments to the City’s precinct and ward boundaries and approved three agreements with the City of Norwalk, Polk County and Warren County, each related to combined precincts between the City of Des Moines and each other entity, all of which was undertaken in conformance with the requirements of Iowa Code Sections 49.3, 49.5 and 372.13(7); and

WHEREAS, subsequent to the city’s adoption, the ordinances, maps, agreements and certifications were submitted to the Iowa Secretary of State for that Office’s review and final approval for use, which is required by Iowa Code Section 49.11 to be done by each city and county; and

WHEREAS, on January 14, 2022, the City of Des Moines received final approval for use of its adopted precinct and ward ordinances and maps from the Secretary of State; and

WHEREAS, the City of Norwalk was recently advised by the Secretary of State’s Office, after submittal of its materials that the Secretary of State’s Office required revision of the numeration of Norwalk’s precincts; and

WHEREAS, the renumeration of the Norwalk precincts would necessitate revision of the Memorandum of Agreement between Des Moines and Norwalk approved and adopted on December 20, 2021, by Roll Call No. 21-1982, to change the numerical designation of the Norwalk precinct that is referenced therein; and

WHEREAS, in order for Norwalk to attain compliance with requirements of the Iowa Code, approval and execution of a revised precinct agreement between the two cities is appropriate.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the revised Agreement with City of Norwalk, Iowa and the City of Des Moines, regarding Precinct 8 and Precinct 61, respectively, is hereby accepted and the Mayor is hereby authorized and directed to execute the Agreement and the City Clerk is authorized and directed to attest to the Mayor’s signature.

MOVED BY _____ TO ADOPT- SECONDED BY _____.



Roll Call Number

.....

Agenda Item Number

42

Date March 21, 2022

APPROVED AS TO FORM:

Judy K. Parks-Kruse
Assistant City Attorney

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

MOTION CARRIED

APPROVED

Mayor

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.

City Clerk

MEMORANDUM OF AGREEMENT

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

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 Precinct 8 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 Precinct 8 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 March, 2022.

By: _____
T.M. Franklin Cownie, Mayor

Attest: _____

By: _____
P. Kay Cmelik, City Clerk

City of Norwalk, Iowa

Dated this ___ day of March, 2022.

By: _____
Tom Phillips, Mayor

Attest: _____

By: _____
Lindsey Offenburger, City Clerk

APPROVED AS TO FORM:



Judy K. Parks-Kruse
Assistant City Attorney