

★ Roll Call Number  
11-1672

Agenda Item Number  
54

Date September 26, 2011

RESOLUTION APPROVING AMENDMENTS TO THE CITY PRECINCT AND  
WARD BOUNDARIES AND APPROVING AGREEMENTS WITH POLK AND  
WARREN COUNTIES FOR COMBINED PRECINCTS

WHEREAS, the City of Des Moines is required to amend the City precinct and ward boundaries using the population data from the 2010 federal decennial census to bring those boundaries into conformance with the requirements of Iowa Code §49.7; and,

WHEREAS, on August 8, 2011, by Roll Call No. 11-1370, the City Council directed that a public hearing be held on August 29, 2011, at 5:00 p.m., in the Council Chambers, to consider adoption of an ordinance amending the City precinct and ward boundaries; and,

WHEREAS, notice of such hearing was published in the Des Moines Register on August 18, 2011; and,

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WHEREAS, the proposed new precinct and ward boundaries were submitted to the Commissioner of Elections for Polk and Warren Counties for review and comment as required by law, and all amendments initially requested or required by the Commissioners were incorporated into the new precincts and wards as defined in the proposed ordinance; and,

WHEREAS, in accordance with the published notice those interested in the proposed amendments to the precinct and ward boundaries, both for and against, were given opportunity to be heard with respect thereto; and,

WHEREAS, on August 29, 2011, by Roll Call No. 11-1494, the City Council closed the public hearing on the proposed amendments to the precinct and ward boundaries, and approved agreements with Polk County and the City of Norwalk for the combined precincts shared with those jurisdictions; and,

WHEREAS, on August 29, 2011, by Roll Calls No. 11-1495 and 11-1496 the City Council gave first reading and final passage to Ordinance No. 15,038 establishing new ward and precinct boundaries; and,

WHEREAS, it was subsequently determined that Precinct 29, a combined city/township precinct, conflicts with the proposed new Polk County Supervisor district boundaries, and Polk County has requested that Precinct 29 be split into two precincts, to be designated as Precincts 29 and 29A, to resolve that conflict; and,

WHEREAS, the Iowa Director of Elections has directed that changes be made to the boundary descriptions for the precincts previously approved by the City Council, and has required that the City enter into a combined precinct agreement for each precinct that contains any land shown as being outside the boundaries of the City as reported in the 2010 Decennial

( continued )

Date August 29, 2011

Census, notwithstanding the fact that such land has been annexed into the City as more specifically described in the accompanying Council Communication.

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

1. The Amended Memorandum of Agreement, and the two separate Memorandums of Agreement with Polk County to allow the creation of the combined city/township precincts identified in the accompanying Council Communication, are hereby approved. The Mayor is hereby authorized and directed to sign the agreements on behalf of the City, and the City Clerk is hereby authorized and directed to attest to the Mayor's signature on such agreements.
2. The Memorandum of Agreement with Warren County to allow Precinct 85 and 86 to be created as combined city/township precincts is hereby approved. The Mayor is hereby directed and authorized to sign the agreement on behalf of the City, and the City Clerk is hereby authorized and directed to attest to the Mayor's signature on such document.
3. The Memorandum of Agreement with the City of Norwalk allowing the creation of Precinct 82 as a combined city/city precinct, which was originally approved on August 29, 2011, by Roll Call No. 11-1494 is hereby ratified without change.

( Council Communication No. 11-595 )

MOVED by Hensley to adopt.

FORM APPROVED:

Roger K Brown

Roger K. Brown

Assistant City Attorney

C:\Rog\Admin - Legal Dept\Reprecincting\2nd\RC approve Agr.doc

Exhibits:

"1" - Multiple agreements with Polk County

"2" - Agreement with Warren County

"3" - Amended Precinct Map

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin Mayor

CERTIFICATE

I, DIANE RAUH, 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.

Diane Rauh

City Clerk