

ITEM #: 28  
DATE: 08-24-21

**COUNCIL ACTION FORM**

**SUBJECT: ASSIGNING WARDS AND PRECINCTS TO THREE RECENT ANNEXATIONS.**

**BACKGROUND:**

Following an annexation, the City needs to assign the newly annexed territory to the appropriate ward and precinct for local election purposes as required by Code of Iowa Section 49.8(2). As state law specifies that the territories are to be assigned to a contiguous ward and precinct, there is little or no discretion regarding where to place them.

The three most recent annexations that now need to be assigned are noted below:

1. Territory annexed by Resolution #21-152, 3/23/21 (4514 Hyde Annexation) is attached to Ward 2, Precinct 5.
2. Territory annexed by Resolution #21-154, 3/23/21 (Caremoli Annexation) is attached to Ward 1, Precinct 3.
3. Territory annexed by Resolution #21-293, 5/25/21 (Flummerfelt/Crane Annexation) is attached to Ward 3, Precinct 4.

The next election is November 2, 2021. The County Auditor has informed us that she plans to have the ballots for that election printed by September 24, 2021. **Therefore, staff is requesting that Council suspend the rules to adopt the ordinance at one Council meeting to assure that the territories have been assigned to wards & precincts in plenty of time for the County Auditor to notify the residents of those territories of their ward and precinct numbers and polling places, and prior to the Auditor's office printing the ballots for the November election.**

**ALTERNATIVES:**

1. Approve first reading of an ordinance assigning the three recently annexed territories to their appropriate ward and precinct. **Suspension of the rules and approval on second and third readings is requested.**
2. Do not approve the ordinance.

**CITY MANAGER'S RECOMMENDED ACTION:**

State law requires that a territory annexed by the City needs to be assigned by ordinance to the appropriate ward and precinct. There is little to no discretion in the assignments since the wards and precincts must be contiguous to the newly annexed area. These assignments need to be finalized prior to the November 2, 2021 election.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as noted above.

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**DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER**

Prepared by: Mark O. Lambert, City Attorney, 515 Clark Ave., Ames, IA 50010 (515-239-5146)

Return recorded document to: City Clerk, City of Ames, 515 Clark Avenue, Ames, Iowa 50010

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**ORDINANCE NO.**

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SUBSECTION 6.14 (11),(12),(13), THEREOF, FOR THE PURPOSE OF UPDATING WARDS AND PRECINCTS; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.**

**BE IT ENACTED**, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Section 6.14 (11),(12),(13) as follows:

**“Sec. 6.14. ANNEXATIONS.**

...

(11) Territory annexed by Resolution #21-152, 3/23/21 (4514 Hyde Annexation) is attached to Ward 2, Precinct 5.

(12) Territory annexed by Resolution #21-154, 3/23/21 (Caremoli Annexation) is attached to Ward 1, Precinct 3.

(13) Territory annexed by Resolution #21-293, 5/25/21 (Flummerfelt/Crane Annexation) is attached to Ward 3, Precinct 4.”

Section Two. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Three. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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Diane R. Voss, City Clerk

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John A. Haila, Mayor