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COMMUNITY DEVELOPMENT

Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

MEMORANDUM

To: Mayor and City Council Members
Cc: Gregg Mandsager, City Administrator
From: Andrew Fangman, City Planner
Date: August 18, 2011
Re: Memoranda of Agreement With Muscatine County To Create A Combined City-County Sweetland Precinct

BACKGROUND: On June 2, 2011 City Council approved a voluntary annexation of 62.05 acres of agricultural property that is generally bounded by Menards to the west, Highway 61 to the north and Solomon Avenue to the east. This annexation created the only situation where a census block is split between the City and unincorporated Muscatine County.

On July 21, 2011 the City of Muscatine adopted new precinct and ward boundaries to reflect the changes in population reported in the 2010 Census. The Office of the Iowa Secretary of State requires that after a city adopts new ward and precinct boundaries that they be submitted for review to ensure that they comply with the standards contained within state law.

On August 3, 2011 the Secretary of State notified the City of Muscatine and Muscatine County that an agreement with Muscatine County to create a joint City-County voting precinct that would cover the newly annexed area, because the creation of precinct containing both incorporated and unincorporated territory is only way to avoid splitting census blocks. To do this the State requires an agreement between city and county to create a combined city-county precinct. This agreement must be signed before the Secretary of State will accept the new ward and precinct boundaries.

The proposed memoranda of agreement with Muscatine County would make the

County's Sweetland precinct a combined City-County precinct. Residents of the newly annexed area would cast their ballots in the Sweetland precinct. The incorporated areas of the Sweetland precinct would be part of the Fifth Ward. Currently the area within the City that would be covered by this agreement is uninhabited and is used and zoned for agricultural proposes. This agreement will not change the location where any current City or unincorporated County resident votes. It is anticipated that when this area will ultimately be developed for commercial or industrial uses. When the Census Bureau creates new census blocks for the 2020 Census they will follow the corporate limit line and it will be possible to move this area into a precinct containing only incorporated areas.

The Office of the Iowa Secretary of State has set a deadline of September 1st for the City of Muscatine to submit revised precinct and ward boundaries, including the signed agreement with Muscatine County to create the combined City-County Sweetland Precinct, to meet this deadline it is necessary to forgo a public hearing and approve the attached resolution approving a memoranda of agreement with Muscatine County to create a combined City-County Sweetland Precinct. The Muscatine County Board of Supervisors will take action on this agreement at their meeting on August 22nd.

RECOMMENDATION/RATIONALE: Forgo a public hearing and resolution approving a memoranda of agreement with Muscatine County to create a combined City-County Sweetland Precinct.

BACKUP INFORMATION:

1. Memoranda of agreement with Muscatine County to create a combined City-County Sweetland Precinct

RESOLUTION NO. _____

**A RESOLUTION APPROVING A MEMORANDA OF AGREEMENT
WITH MUSCATINE COUNTY ESTABLISHING A COMBINED
CITY-COUNTY SWEETLAND PRECINCT**

WHEREAS, State law requires that upon release of the new decennial census information that ward and precinct boundaries be adjusted, by September 1, 2011, to ensure that they comply with the standards contained in state law;

WHEREAS, Election precincts which are composed partially of unincorporated territory within a county and partially of part of a city may be established, if an agreement which is mutually satisfactory to the board of supervisors of the county and to the city council of the city is adopted and submitted to the state commissioner as part of the certification of precinct boundaries;

WHEREAS, The City and County desire to have one combined precinct, namely (Sweetland) and agree that Sweetland precinct shall be composed of an incorporated population of zero (0) persons who are residents of the City and an unincorporated population of 2,618 persons who are residents of Sweetland Township, in the County;

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Muscatine, that the attached memoranda of agreement with Muscatine County establishing a combined City-County Sweetland Precinct be approved and signed.

PASSED, APPROVED, AND ADOPTED by the City Council for the City of Muscatine, Iowa, on this, the 18th day of August 2011.

Richard O'Brien, Mayor

ATTEST:

Gregg Mandsager, City Clerk

MEMORANDUM OF AGREEMENT

The parties to this agreement are the City of Muscatine, Iowa (City), and Muscatine County, Iowa (County). This agreement is entered into and shall be effective as of January 15, 2012.

WHEREAS:

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).

Election precincts which are composed partially of unincorporated territory within a county and partially of part of a city may be established, if an agreement which is mutually satisfactory to the board of supervisors of the county and to the city council of the city is adopted and submitted to the state commissioner as part of the certification of precinct boundaries.

The City and County desire to have one combined precinct, namely (Sweetland).

THEREFORE, the parties agree that Sweetland precinct shall be composed of an incorporated population of zero (0) persons who are residents of the City and an unincorporated population of 2,618 persons who are residents of Sweetland Township, in the County, as shown on the map attached hereto.

Dated this ____ day of _____, 2011.

City of Muscatine, Iowa

Muscatine County, Iowa

By _____

Richard W. O'Brien, Mayor

By _____

David H. Watkins, Chairman
Board of Supervisors

Attest:

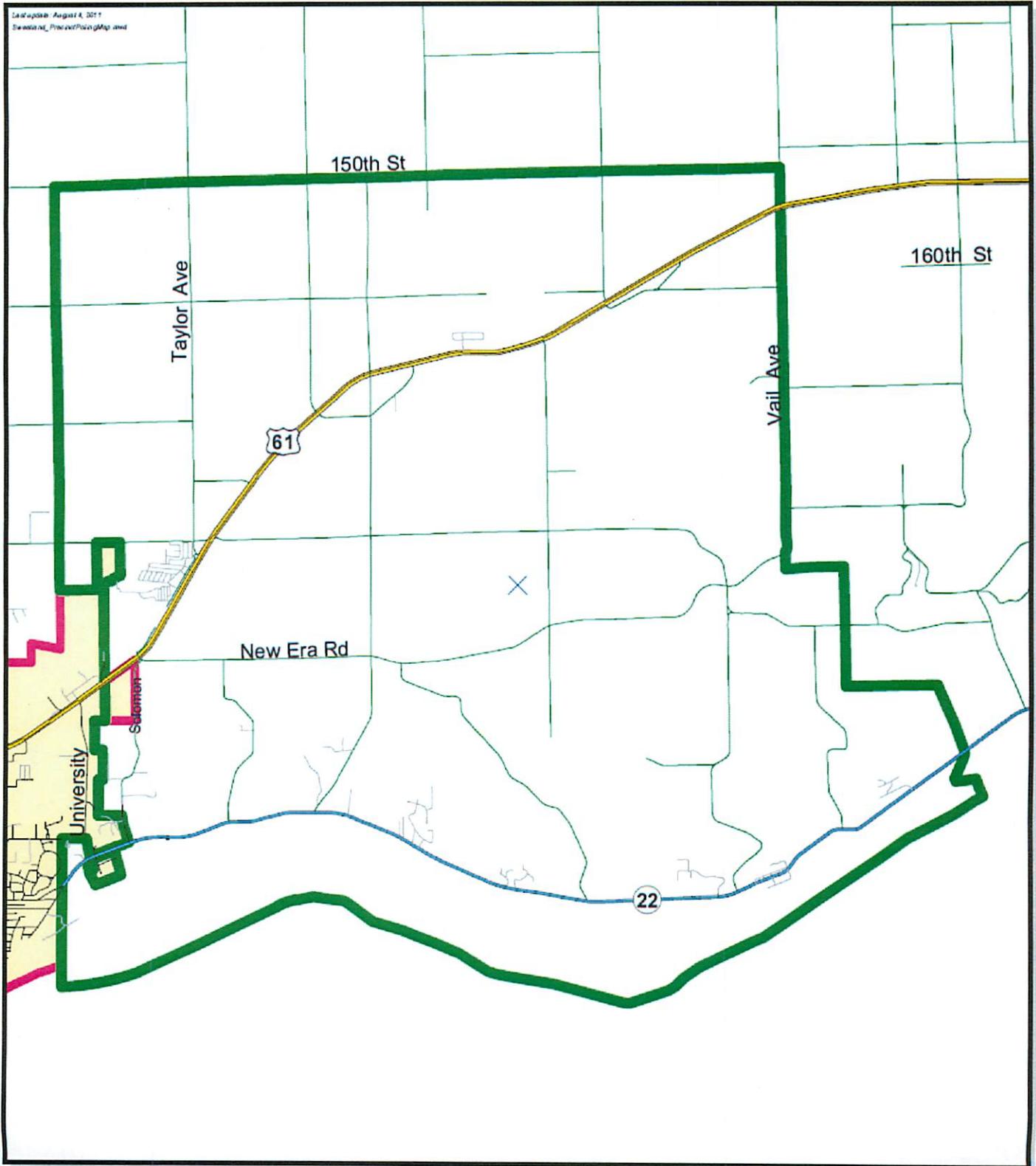
By _____

Gregg Mandsager, City Administrator
Auditor

Attest:

By _____

Leslie A. Soule, County



Prct SW (Sweetland)

0 1
(Graphic Scale)

Legend

- Precincts (2010)
- Corporation Boundary
- Countywide Roads
- City Street
- County Road
- Neighbor County
- Private Drive
- State Highway