

## 2016 Colorado Springs City Clerk Redistricting Process and Timeline

### City Clerk

- City Charter requires the Clerk to redraw the 6 council district boundaries at least 120 days but no more than 150 days prior to a district council member election. In other words, redraw districts every four years.
  - The process involves releasing a preliminary district report, public hearing on the preliminary district report and then a final district report setting the district boundaries.
  - There is no approval of any plan by the City Council or Mayor.
  - Districts must be substantially equal in population, contiguous and comply with Voting Rights Act and other pertinent laws.

### Districing Process Advisory Committee

- Advisory Committee role is to oversee the public process, educate the public, assist the City Clerk and advise City Council on the districting process.
- City Council appoints the seven committee members.
  - Council must begin the selection process by 4/9 (at least 360 days prior to the 4/4/2017 municipal election).
  - One member from each of the 6 election districts and one member at-large.
  - Members must be registered electors of the city.
  - Council must strive for gender, racial, ethnic, age and geographic diversity of the committee members.
  - A person interested in being a candidate for a district council member shall not serve on the committee.
- The Committee shall conduct at least one public meeting in each of the six election districts to solicit input for the City Clerk's consideration in drafting her preliminary district report.
- The Committee will prepare a preliminary Advisory Committee report and submit to City Clerk and City Council.
- The Committee will prepare a final Advisory Committee report and submit to City Council after the City Clerk releases the final district report.

### City Charter

#### **ARTICLE II. ELECTIVE OFFICERS**

**2-10(b) Districts.** At least one hundred twenty (120) and not more than one hundred fifty (150) days before any City election at which district Councilmembers are to be elected, the City Clerk shall divide the City into six election districts having substantially equal populations commencing with the April 2013 general municipal election. All of the area in each district shall be contiguous. The Council shall provide by ordinance the method of creating said districts and establishing their boundaries, the giving of notice of such proceedings, the manner of protesting such proceedings, and division of the City into said districts and for hearing on such protest. (1969; 1975; 1977; 1980; 2011)

## **City Code**

### **5.1.401: LEGISLATIVE DECLARATION:**

City Council finds and declares that the key to good government is an engaged and informed electorate. The citizens exercised their electoral choice and approved a home rule Charter for the City of Colorado Springs in 1909. We are mindful today that the City's power and authority is derived from, and remains accountable to, the collective will of the voters.

A significant step toward increasing public awareness and participation in municipal elections is to provide meaningful opportunities for citizens to learn about and have input into the districting process. While the City Charter requires that all election districts be contiguous and substantially equal in population, City Council recognizes and supports the consideration of additional factors as a necessary implementation of the Voting Rights Act, 42 USC 1973, as amended. City Council supports and encourages the preservation of racial and ethnic diversity, traditional neighborhoods and communities of interest.

To that end, City Council now exercises the authority granted by City Charter sections 2-10(b) and 11-10 and promulgates procedures for the creation and establishment of election districts for the City. (Ord. 13-23)

### **5.1.402: ADVISORY COMMITTEE CREATED:**

There is created a Districting Process Advisory Committee as an advisory committee to oversee the public process, educate the public, assist the City Clerk, and advise City Council on the districting process.

- A. The Advisory Committee shall be composed of seven (7) regular members. City Council may appoint alternate members subject to the provisions of section [1.2.902](#) of this Code.
  - B. Advisory Committee member selection shall begin at least three hundred sixty (360) days prior to a general municipal election at which district Council Members are to be elected.
1. One Advisory Committee member shall be appointed from each of the six (6) election districts, and one member shall be appointed at large.
  2. Appointed members shall be electors of the City and generally representative of the population of the City. City Council shall strive for gender, racial, ethnic, age and geographic diversity when appointing Advisory Committee members.
  3. To avoid the appearance of impropriety, persons interested in being candidates for a district Council Member seat at the next regular municipal election shall not serve on the Advisory Committee.

- C. The term of all Advisory Committee members shall expire at the time the final Advisory Committee report is submitted to City Council in accord with section [5.1.408](#) of this part.
- D. The Advisory Committee shall comply with all applicable provisions of the City Charter, the City Code, and the Rules and Procedures of City Council. (Ord. 13-23)

**5.1.403: ELECTION DISTRICT CONSIDERATIONS:**  

A. In accord with the provisions of City Charter subsection 2-10(b), at least one hundred twenty (120), and not more than one hundred fifty (150) days before a City election at which district Council Members are to be elected, the City Clerk shall divide the City into contiguous election districts having substantially equal populations and, to the extent possible, election districts shall not divide election precincts. Population data shall include official federal census data and census estimates, building permit issuance data, and any other official government data or information that would assist the City Clerk in determining the number and distribution of persons within the City.

B. When determining the location of election district boundaries, the City Clerk shall comply with the Voting Rights Act and shall, to the extent possible, consider district boundaries that:

1. Follow obvious geographic boundaries;
2. Do not divide recognized neighborhoods;
3. Do not divide identified communities of interest. (Ord. 13-23)

**5.1.404: PUBLIC PROCESS:**  

A. The Advisory Committee shall make every effort to communicate the procedure for dividing the City into election districts to the citizens through any available means, including, but not limited to: public meetings, e-town hall gatherings, electronic and print media, and City website posts.

B. The City Clerk shall provide the Advisory Committee a schedule of districting activities and deadlines for issuance of the preliminary report, receipt of protests, and issuance of the final report. Based on this schedule, the Advisory Committee shall plan its public education efforts and schedule public meetings. The Advisory Committee shall coordinate public meeting dates to ensure the City Clerk's availability.

C. The Advisory Committee shall conduct at least one public meeting in each election district to solicit public input for the City Clerk's consideration in determining election district boundaries. The Advisory Committee shall prepare a preliminary Advisory Committee report that summarizes the public input and makes a preliminary recommendation of election district

boundaries. The committee shall make the report available to the public and shall submit the report to the City Council and City Clerk.

- D. At any public meeting held by the Advisory Committee, the City Clerk shall present the population data relied upon and the impact of the other considerations set out in subsection [5.1.403B](#) of this part. The public shall be given an opportunity to comment on the population data, the other considerations and the proposed district boundaries. (Ord. 13-23)

#### **5.1.405: PRELIMINARY DISTRICT REPORT:**

No later than October 1 of the year preceding a City election at which all district Council Members are to be elected, the City Clerk shall prepare a preliminary report dividing the City into six (6) election districts having substantially equal populations. All of the area in each district shall be contiguous. Upon completion of the preliminary report by the City Clerk, the City Clerk shall set a public hearing to solicit public comment on the preliminary report concerning election district boundaries. The City Clerk shall cause to be published, at least fourteen (14) days before the hearing, the preliminary report, to include a preliminary map and a preliminary written description of the election districts, and the time and place of the public hearing. (Ord. 13-23)

#### **5.1.406: PROTESTS:**

Any person may protest the preliminary election districting boundaries upon the grounds that the districts are contrary to law or to the spirit and intent of the City Charter.

- A. Protests may be presented to the City Clerk in writing prior to the hearing on protests, and may be mailed or submitted electronically, or in person at the office of the City Clerk. Written protests must be submitted to the City Clerk at least three (3) business days prior to the public hearing at which protests will be heard. Copies of all written protests submitted prior to the public hearing shall be made part of the record and available for public inspection in the office of the City Clerk.
- B. At the public hearing, the Clerk shall provide an opportunity for any person to protest the preliminary election district boundaries in person, orally or in writing, to the City Clerk. The City Clerk shall have the discretion to impose time limits on oral presentations as necessary to accommodate reasonable comment. Time limits shall be imposed fairly and uniformly.
- C. After the hearing on protests, the City Clerk shall take into consideration all valid protests and determine whether to amend or change the preliminary report, preliminary election district map and preliminary written description. (Ord. 13-23)

#### **5.1.407: FINAL DISTRICT REPORT:**

- A. After completing the procedure specified in section [5.1.406](#) of this part, the City Clerk shall divide the City into the appropriate election districts in accord with law and the City Charter.

- B. The City Clerk's final district report shall be completed at least one hundred twenty (120) days and not more than one hundred fifty (150) days before the general municipal election at which all district Council Members are to be elected.
- C. The City Clerk's final district report shall include a final election district map and written description of the election boundaries, a summary of valid protests to the preliminary report, and the City Clerk's summary response to those protests. (Ord. 13-23)

**5.1.408: ADVISORY COMMITTEE REPORT TO CITY COUNCIL:**   

At the conclusion of the districting process, the Advisory Committee shall prepare a final Advisory Committee report after the City Clerk's final district report. The Advisory Committee report shall include:

- A. A summary of the Advisory Committee's public education efforts;
- B. The dates, times, locations, attendance, and results of one or more public meetings;
- C. A copy of the preliminary Advisory Committee report described in subsection [5.1.404C](#) of this part;
- D. A summary of any protests and the date, time, location, attendance and results of the public hearing on any protests;
- E. An evaluation of the process and compliance with the requirements of the City Charter and this part. (Ord. 13-23)

