

**DATE:** October 2, 2012  
**STAFF:** Wanda Nelson

**AGENDA ITEM SUMMARY**  
FORT COLLINS CITY COUNCIL

**12**

**SUBJECT**

First Reading of Ordinance No. 105, 2012, Amending Chapter 7 of the City Code Relating to Redistricting.

**EXECUTIVE SUMMARY**

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This Ordinance will amend Section 7-87(b) of the City Code to enact language that is consistent with the original intent that the City Clerk, within 18 months after the decennial publication of the U.S. Census, recommend district boundary changes necessary to ensure that, to the extent reasonably possible, there is no more than a 10% deviation between the most populous and the least populous Council district.

**BACKGROUND / DISCUSSION**

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On April 3, 2012, Council adopted Ordinance No. 023, 2012, amending Section 7-87 of the City Code relating to redistricting (adjusting Council district boundaries). The purpose of the amendment was to extend the time period within which the City Clerk must recommend to the City Council any district boundary changes necessary to ensure that, to the extent reasonably possible, there is no more than a 10% deviation between the most populous and the least populous district. The end of the period was extended from 12 months after the official decennial publication of the United States Census to 18 months after the publication of the Census.

Staff recently discovered that the language in the original provision adopted in June 2011, as well as the amended language adopted in April 2012, called for the City Clerk to make a recommendation "not less than" the specified number of days, rather than "not more than" as was originally intended.

This Ordinance corrects the mistake, making it clear that the Clerk's recommendation must occur not more than (within) 18 months after the official decennial publication of the Census.

**STAFF RECOMMENDATION**

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Staff recommends adoption of the Ordinance on First Reading.

ORDINANCE NO. 105, 2012  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AMENDING CHAPTER 7 OF THE CODE OF THE CITY OF FORT COLLINS  
RELATING TO REDISTRICTING

WHEREAS, by the approval of the voters at the regular City election held April 5, 2011, Article II, Section 1 of the City Charter was amended to change the method for adjusting City Council district boundaries; and

WHEREAS, on June 7, 2011 the City Council adopted on second reading Ordinance No. 063, 2011, amending Section 7-87 of the City Code;

WHEREAS, the purpose of the amendment was to require that the City Clerk make a recommendation to the City Council, within one year after the official decennial publication of the United States Census concerning the population of the City, as to whether any district boundary changes are necessary to ensure that, to the extent reasonably possible, there is no more than ten (10) percent deviation between the most populous and the least populous Council district; and

WHEREAS, on April 3, 2012, the City Council adopted Ordinance No. 023, 2012, amending Section 7-87 of the City Code so as to extend the timeframe for making this recommendation from one year to 18 months, since the one-year timeframe previously established did not give the City Clerk adequate time to formulate the recommendation; and

WHEREAS, Ordinance No. 063, 2011 and No. 023, 2012 incorrectly state that the City Clerk must make the recommendation to the City Council regarding district boundary changes not *less* than eighteen (18) months after the official decennial publication of the United States Census; and

WHEREAS, the word “less” should be changed to the word “more” so that the language is consistent with the intent of this provision and with the actions that have been taken by the City Clerk since June 7, 2011.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That Section 7-87(b) of the Code of the City of Fort Collins is hereby amended to read as follows:

**Sec. 7-87. Redistricting; notice.**

...

(b) Not ~~less~~**more** than eighteen (18) months after the official decennial publication of the United States Census concerning the population of the City of Fort Collins, the City Clerk shall recommend to the City Council any district boundary changes necessary to ensure that, to the extent reasonably possible, there is no more

than a ten-percent deviation between the most populous and the least populous district.

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Section 2. That the City Clerk's recommendation regarding the adjustment of the City Council district boundaries as reflected in Ordinance No. 73, 2012, is ratified, approved and confirmed.

Introduced, considered favorably on first reading, and ordered published this 2nd day of October, A.D. 2012, and to be presented for final passage on the 16th day of October, A.D. 2012.

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Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading on the 16th day of October, A.D. 2012.

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Mayor

ATTEST:

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City Clerk