

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE TO PROHIBIT THE CONSIDERATION OF COUNCIL MEMBERS' HOME ADDRESSES IN THE REDISTRICTING PROCESS

#0118

Sponsor:

**Council
Member
Darby**

WHEREAS, City Charter Section 2-102 requires City Council to redistrict the City's eight (8) Councilmanic districts within six (6) months after the publication by the United States Census Bureau of the population of the City at each federal decennial census; and

WHEREAS, City Code Section 2-32 establishes the procedures to fulfill the requirements of City Charter Section 2-102 and creates a redistricting committee (the "Redistricting Committee") to assist City Council with the redistricting process; and

WHEREAS, the sole purpose of redistricting is to account for population changes; and

WHEREAS, to effectuate such purpose, City Council deems that it is necessary and appropriate to prohibit the Redistricting Committee and Council from considering incumbent Council Members' home addresses during the redistricting process; and

WHEREAS, as part of such prohibition, City Council deems that it is necessary and appropriate to forbid the inclusion of incumbent Council Members' home addresses on the maps used by the Redistricting Committee and City Council during the redistricting process.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:

SECTION 1. Section 2-32 of the City Code is hereby amended by adding the underlined language to read as follows:

Sec. 2-32. - Redistricting after census; committee procedures; implementation.

- (a) This section is enacted in order to establish procedures to fulfill the requirements of section 2-102 of the city charter, which sets forth the mandatory duty of the city council to redistrict the city into eight councilmanic districts within six months after the date of publication by

the United States Census Bureau of the population of the city at each decennial census, so that each of the council districts shall contain as nearly as practicable a population derived by dividing the population of the city by a factor of eight. In formulating the redistricting plan, the city council's redistricting committee, comprised of the president of council and six members appointed by the president of council, shall convene, on or before July 1 following the official reporting of the 1990 Federal Decennial Census by the U.S. Census Bureau to the state, and on or before July 1, in every tenth year thereafter, in order to commence the redistricting process. The committee thereafter shall prepare and file with the city clerk a report containing a recommended plan for adjusting the councilmanic district boundaries of districts one through eight to comply with the following specifications:

- (1) Each district shall contain contiguous territories; and
- (2) Each district shall contain as nearly as possible the same number of persons with no aggregate diversion in population more than ten percent from the average population for all districts, the average to be obtained by dividing the number eight into the total population of the city according to that federal decennial census so published. If redistricting is necessary, the committee shall not consider any City Council member's home address when drafting new boundaries.

The home address of any incumbent member of city council shall not be considered by the committee or city council in the redistricting process.

- (b) The report of the committee, which may include a report of a minority of its members, shall include a map and a description of each of the councilmanic districts as recommended in a plan and shall be in the form of a proposed ordinance. The map shall not include the home address, or any depiction thereof, of any incumbent member of city council. As filed with the city clerk, the report in ordinance form may be introduced by any council member at the next immediate meeting of the council. The committee shall conduct at least one public hearing, to be duly advertised in a newspaper of general circulation in the city, about the report following the filing of the report and prior to enactment of a redistricting ordinance. Any such ordinance shall comply with the requirements of and be subject to the provisions of section 2-201 of the city charter. The redistricting ordinance shall be enacted on or before

the end of the six-month period following the date of publication of the census, as provided in section 2-102 of the city charter.

- (f) The committee may prepare or cause to be prepared, graphic depictions of existing city council district boundaries on census bureau maps in order to determine the census geographic areas within each councilmember's district. If the population tabulations are available by election district, such graphic depiction of existing council districts may be done on a map of election districts instead of census geographic areas. Maps of the city council districts shall be used in conjunction with census maps to ensure accuracy in locating the boundaries of existing council districts. Any map the committee may prepare or cause to be prepared shall not include the home address, or any depiction thereof, of any incumbent member of city council.

SECTION 2. This Ordinance shall become effective upon its passage by City Council and approval by the Mayor. This Ordinance shall apply starting with the redistricting that occurs as a result of the federal decennial census of 2030.

First Reading.....December 9, 2021
Second Reading.....December 9, 2021
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2022.

Mayor

SYNOPSIS: This Ordinance amends Section 2-32 of the City Code to prohibit consideration of incumbent Council Members' home addresses by the Redistricting Committee and City Council during the redistricting process. To further such prohibition, this Ordinance also forbids the inclusion of incumbent Council Members' home addresses on the maps used by the Redistricting Committee and City Council during the redistricting process. This Ordinance shall apply starting with the redistricting that occurs as a result of the federal decennial census of 2030.

FISCAL IMPACT STATEMENT: This Ordinance has no anticipated fiscal impact.

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