



MEMO TO CITY COUNCIL

Request to Include Topic on the City Council Agenda

From: Bill Nary, Meridian City Attorney **Meeting Date:** December 2, 2020
Presenter: Bill Nary **Estimated Time:** 20 minutes
Topic: Discussion: Proposed updates to Idaho Code section 50-707A, regarding election of Council members by districts, and draft concept ordinance establishing City Council districts

Recommended Council Action:

Provide input regarding proposed updates to Idaho Code section 50-707A, regarding election of Council members by districts, and methods of establishing City Council districts in Meridian.

Background:

In the 2019 legislative session, the Idaho Legislature adopted changes to Idaho Code section 50-707A. The statute now requires cities with more than 100,000 inhabitants, as reflected in the last decennial Federal census, to establish City Council districts, and for Council members to reside in the district that they represent. The statute was made effective immediately. The most current decennial Federal census data available, for purposes of this statute, is from the 2010 census. As of the 2010 census, Boise was the only city in Idaho with more than 100,000 inhabitants. It is anticipated that the 2020 census will reflect that Meridian, and possibly Nampa, also have more than 100,000 inhabitants.

Meridian City Attorney Bill Nary has worked with Boise City Attorney Jamie Sullivan, Nampa City Attorney Mark Hilty, Senator Chuck Winder, and Assistant Chief Deputy Attorney General Brian Kane to prepare proposed updates to Idaho Code section 50-707A that will provide that:

- Cities establishing districts shall adopt an ordinance with a process for appointing a committee to draw the districts, which committee will include the county clerk as an ex officio member.
- The committee must comply with the open meetings laws and Idaho Public Records Act.
- Districts must be compact and newly annexed land will be attached to the contiguous district and/or split between two contiguous districts, as applicable.
- The districts must be redrawn at every decennial census.
- Council members running for election must represent the district in which they reside.
- In the first election following establishment of districts, sitting council members (not running for re-election) shall be permitted to serve the remainder of their terms in the seat to which they were elected, rather than be disqualified in the event that they do not reside in the district that includes their residence, in order to preserve staggered terms.
- That the statute will be effective in 2022.

A copy of the draft proposed legislation is included in the packet.

In anticipation of the establishment of City Council districts, my office has prepared a draft ordinance as a starting point for discussing the process of appointing the districting committee, the composition of the committee, and the method for drawing districts.