



**City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS**

**1000 Rochester Hills Dr.
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Legislative File No: 2011-0284

TO: Mayor and City Council Members
FROM: John D. Staran, City Attorney
DATE: June 1, 2011
SUBJECT: Reapportionment of City Council Districts

REQUEST:

City Council, at its June 6 meeting, will need to decide whether to: (1) approve and put into immediate effect a council district reapportionment plan, (2) approve a reapportionment plan to go into effect after the 2011 elections, or (3) direct the reapportionment committee to further study and return to Council, at a later date, with a recommended reapportionment plan.

BACKGROUND:

The Home Rule Cities Act, City Charter and City ordinance require that following the official release of the U.S. decennial census, the City Council shall apportion the City's 4 council districts to provide for districts "which are as nearly of equal population as is practicable and contiguous and compact." MCL 117.27a(5). The census was officially released in May, which starts the reapportionment process. In Rochester Hills, the reapportionment procedure is governed further by City Code Chapter 34, Art II, which establishes a city council committee comprised of the 3 elected at-large councilmembers who, together with the City Clerk, are charged with the responsibility of meeting, analyzing census data, and recommending a reapportionment plan to the entire City Council for approval.

City Clerk Leslie developed a proposed district reapportionment plan taking into account the census data released to the City in May and Oakland County's reapportionment plan for commissioner districts. The City Council District Reapportionment Committee met last Friday, May 27 to consider reapportionment and related issues. The Committee weighed the pros and cons of proceeding with reapportionment at this time. Pros include strict adherence to state law and recommendations of state and county election officials; it is physically possible to put into effect for the August primary if Council approves a plan on June 6; the City Clerk's proposed reapportionment plan would, in the City Attorney's opinion, meet all legal requirements; and approving a reapportionment plan at this time can be done to not displace any council candidates or incumbents from their current districts while better equalizing council district populations based on the latest official census data available. Cons include concerns about moving too quickly in developing a reapportionment plan and the appropriateness of implementing reapportionment in the midst of the 2011 election cycle (i.e., after the candidate filing deadline has passed). It was noted that in previous decades, census data was released later in the year and the City reapportioned districts 2 years after the census.

BUDGET AND STAFF IMPACT:

The city council district reapportionment process does not have budgetary or staff impact, aside from the clerical work necessary to implement any district boundary changes

RECOMMENDATION:

The recommendation of the City Council District Reapportionment Committee is to continue the process of studying reapportionment at this time.

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
City Council Liaison		