

ORDINANCE 4657

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, AMENDING NAMPA CITY CODE 2-2-2-4 REGARDING THE ESTABLISHMENT OF CITY COUNCIL DISTRICTS AND ESTABLISHING A NEW SECTION 2-2-2-5 SETTING FORTH THE PROCESS FOR THE CREATION OF CITY COUNCIL DISTRICTS IN ACCORDANCE WITH IDAHO CODE §50-707A; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF IN CONFLICT HEREWITH.

BE IT ORDAINED by the Mayor and City Council of the City of Nampa, County of Canyon, State of Idaho:

Section 1: Nampa City Code 2-2-2-4. - **Election.** Is hereby amended as follow:

The City of Nampa shall have a city council composed of six members. During each general city election, three of the six members of the City Council shall stand for reelection for a four-year term of office. Each candidate for the City Council shall meet the residency requirements in the City of Nampa as set out in Idaho Code. The City shall be divided into six districts in accordance with the provisions of NCC 2-2-2-5 set forth below. ~~The city clerk shall assign a number for each of the six council seats with existing council seats retaining their previously assigned numbers. The assignment of each numbered council seat shall be at random with the method of random selection to be determined by the city clerk.~~ Candidates for council seats, as established by this chapter, shall file for a designated Council seat in the manner prescribed by Idaho Code and NCC 2-2-2-5. ~~Beginning with the general municipal elections to be held in November 1995, those council persons with terms ending in January 1996, shall stand for election, after filing for candidacy as required by this chapter, against other qualified candidates for the council seats created by this chapter; however, the two newly created council seats shall be filled in the general municipal elections to be held in November 2013, one seat for an initial two year term and the second seat for a four year term so that three council seats will expire every two years. Thereafter, each council person shall stand for election every four years, after filing for candidacy as required by this chapter, against other qualified candidates pursuant to and for the council seats as created by this chapter at the next general municipal election immediately prior to the termination of that council person's term of office.~~

Section 2: That pursuant to Idaho Code §50-707A a new Section of Nampa City Code is enacted, and identified as set forth herein and identified as Section 2-2-2-5:

2-2-2-5. City Council Districts

A. Establishment. There is hereby established the Nampa Districting Committee, the purpose of which shall be to establish six (6) City Council districts and assign one (1) City Council seat to represent each City Council district, in accordance with applicable laws, available federal decennial census data, and principles of districting as are or may be established by law, policy, and custom governing the same.

B. Duties and powers. The Nampa Districting Committee shall be charged with, and authorized to:

1. Evaluate and apply federal decennial census data regarding the City of

Nampa in order to establish six (6) City Council districts pursuant to the provisions of Idaho Code §50-707A and all other applicable provisions of local, state, and federal law.

2. Assign City Council seats, numbering 1 through 6, to the corresponding numbered City Council districts, pursuant to the provisions of Idaho Code section 50-707.

3. Act independently to make decisions regarding City Council districts and City Council seat numbers, without regard for the residency of elected officials or candidates running for municipal office of the City of Nampa.

4. Consult resources and experts in demographics and population distribution, including, without limitation, the Community Planning Association of Southwest Idaho, the United States Census Bureau, and their delegees and staff, as needed or desired.

5. Consult resources and experts in districting and apportionment, including, without limitation, the Idaho Secretary of State, the Idaho Commission for Reapportionment, the Canyon County Clerk, and the delegees and staff thereof, as needed or desired.

6. Consult City of Nampa Geographic Information System and Planning staff for information and assistance with establishment of City Council districts and the preparation of maps.

7. Consult the City Attorney or designee regarding compliance with applicable Idaho Code and Nampa City Code provisions.

C. Nampa Districting Committee membership and qualifications.

1. The Mayor shall appoint members to the Nampa Districting Committee. Should a vacancy subsequently occur on the Nampa Districting Committee, the Mayor shall fill the vacancy in a like manner within thirty (30) days, or as soon thereafter as practicable. In addition to the names of the members so appointed, the proclamation shall include the following directives to the Chief of Staff:

a. Directing the Chief of Staff to convene the Nampa Districting Committee and serve as staff liaison to both Mayor and City Council.

b. Directing the City Clerk to post on the City of Nampa website the agenda and minutes of the Nampa Districting Committee meetings, as well as the census data used by the Nampa Districting Committee in the course of its charge under this section.

2. Voting members of the Nampa Districting Committee shall include nine (9) Nampa residents from diverse geographic areas within Nampa city limits generally described as follows and more specifically shown on Exhibit "A", to include at least one (1) individual who resides in the area north and west of Franklin Boulevard and Interstate 84 as well as south of Interstate 84 yet north of Davis Avenue, Smith Avenue to the west of Northside Boulevard, and one (1) individual who resides in the area north and east of Franklin Boulevard and Interstate 84 as well as south of Interstate 84 yet north of the Union Pacific Railroad, 11th Avenue North, Garrity Boulevard, Airport Road to the east of Northside Boulevard, and one (1) individual who resides in the area south of the Union Pacific Railroad, Davis Avenue, Smith Avenue yet north of Lake Lowell Avenue and west of 12th Avenue South, 12th Avenue Road, and one (1) individual who resides in the area south of Garrity Boulevard, Airport Road, 11th Avenue North yet north of Amity Avenue and east of 12th Avenue South, 12th Avenue Road, and one (1) individual who resides west of 12th Avenue Road, south of Lake Lowell Avenue, and one (1) individual who resides east of 12th Avenue Road, south of Amity Avenue. The remaining three (3) individuals shall reside anywhere within city limits. The nine (9) Committee members shall be voting members and shall serve without salary or compensation for their service.

3. The Nampa Districting Committee shall include the following ex-officio, non-voting members:

- a. The City of Nampa Engineer or designee;
- b. The City of Nampa Planner or designee; and
- c. The Canyon County Clerk or designee.

4. A person who has served on the Nampa Districting Committee shall be ineligible to run for a Nampa City Council seat for five (5) years following such service.

D. Organization and meetings.

1. At the initial meeting of the Nampa Districting Committee, the Committee members shall elect a Chair and Vice Chair.

a. The Chair shall be a voting member of the Nampa Districting Committee and shall hold the same rights and privileges as any other Committee member. The decisions, statements, and/or actions of the Chair shall obligate, commit, and/or represent the Nampa Districting Committee only insofar as the Committee has specifically authorized. The Chair's duties shall include:

- 1) Preparing Nampa Districting Committee meeting agendas in cooperation with the City Clerk or designee;
- 2) Presiding over all Nampa Districting Committee meetings, and
- 3) Signing all documents requiring an official signature on behalf of the Nampa Districting Committee, including the Nampa Districting Plan.

b. The Vice Chair shall perform the duties of the Chair in the absence of the Chair, and such other duties as may be delegated by the Chair.

c. A special election may be held at any time to fill a vacancy of the office of Chair or Vice Chair.

2. The Chair shall propose, and the Committee members shall adopt, a timeline of meetings and actions to timely complete the Nampa Districting Committee's work in accordance with this section and with Idaho Code section 50-707A.

3. The Nampa Districting Committee shall comply in all respects with the Idaho Open Meetings Law. The agenda for all meetings shall be prepared by the Chair in consultation with the City Clerk or designee. The City Clerk or designee shall assist the Chair with scheduling meetings, posting meeting and agenda notices, preparing meeting minutes, and distributing agendas, minutes, and other materials to Committee members prior to each meeting.

4. A majority of appointed Committee members shall constitute a quorum for the transaction of any business of the Nampa Districting Committee.

5. Each voting member shall be entitled to one (1) vote on any matter before the Nampa Districting Committee. Except as otherwise designated herein, the vote of the

majority of the voting members present at any meeting at which a quorum is present shall effectuate any decision of the Nampa Districting Committee. Voting shall be verbal and on the record; proxy voting, secret voting, and written voting shall not be permitted.

6. Scheduling of public hearings, public comment, or presentations before the Nampa Districting Committee shall be at the discretion of the Chair. The Chair may set rules to maximize efficiency and productivity of meetings, including setting a time limit for comments or presentations to the Nampa Districting Committee.

7. Upon the City Clerk's filing of the Nampa Districting Plan with the County Clerk, the Nampa Districting Committee shall automatically dissolve and may be reconvened only upon appointment by the Mayor as needed in the future as required by new census data or statutory requirements.

E. Procedure.

1. The Nampa Districting Committee shall evaluate and apply the federal decennial census data for the City of Nampa in order to establish six (6) City Council districts pursuant to the provisions of Idaho Code section 50-707A and all other applicable provisions of local, state, and federal law.

2. Upon completion of a draft districting map(s), the Nampa Districting Committee shall designate each City Council district with a number from 1 to 6. The draft map(s) and numbered City Council districts shall constitute the preliminary draft districting plan. The Nampa Districting Committee shall hold a minimum of two (2) advertised open houses to both provide draft map(s) and to solicit public input from Nampa residents.

3. Upon completion of the public open houses, the Nampa Districting Committee shall act to establish, by resolution, a final and single Nampa Districting Plan, to include the following documents, which shall be appended to the resolution, and incorporated into the same by reference:

a. A map of the City of Nampa showing the exact locations of the designated City Council districts, labeled with the district numbers and corresponding City Council seat numbers.

b. A description of the boundaries of the City Council districts, described by the names of streets or other established features or landmarks.

c. A declaration that the City Council seats shall be designated with numbers corresponding to the like-numbered City Council districts, in accordance with Nampa City Code.

4. The Nampa Districting Committee shall transmit its resolution to the City Clerk, and the City Clerk shall:

a. Schedule a public hearing before the City Council on the resolution;

b. Make the resolution available on the City of Nampa's website; and

c. Publish a notice of hearing on the matter before the City Council.

F. The City Clerk shall publish notice of the public hearings on the Nampa Districting Committee's Nampa Districting Plan before City Council prior to the date set for the public

hearing, which notice shall solicit written and verbal testimony on the City Council districts as established by the Nampa Districting Committee and shall include a link to the City of Nampa's webpage with access to the documents and proposed districting map.

G. The City Council shall conduct a public hearing on the Nampa Districting Plan as established by the Nampa Districting Committee. Following such public hearing, the City Council shall review the Nampa Districting Plan as established by the Nampa Districting Committee, and upon a finding that it meets the criteria set forth in Idaho Code section 50-707A, shall adopt it by ordinance as the final Nampa Districting Plan. Such act shall be a ministerial function of the City Council; modification of the Nampa Districting Plan established by the Nampa Districting Committee shall occur only upon remand to the Nampa Districting Committee. The City Council may remand the matter to the Nampa Districting Committee only upon a finding, supported by substantial evidence, that the Nampa Districting Plan established by the Nampa Districting Committee does not meet the criteria set forth in Idaho Code section 50-707A. Should the City Council fail to adopt the Nampa Districting Plan via ordinance at least one hundred thirty-five (135) days prior to the date of the next general city election, the Nampa Districting Committee's last resolution shall comprise the final Nampa Districting Plan.

H. The City Clerk shall file the Nampa Districting Plan with the County Clerk at least one hundred thirty-five (135) days prior to the next general City election, with a request that the County Clerk prepare ballots and establish polling places for all subsequent Nampa City Council elections in accordance with the Nampa Districting Plan.

Section 3: This ordinance shall be in full force and effect from and after its passage, approval, and publication, according to law.

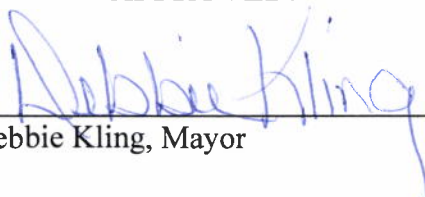
Section 4: This ordinance is hereby declared to be severable. If any portion of this ordinance is declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purposes of the ordinance before the declaration of partial invalidity.

Section 5: All ordinances, resolutions, orders and parts thereof in conflict herewith are repealed.


PASSED BY THE COUNCIL OF THE CITY OF NAMPA, IDAHO, THIS 21ST DAY OF MARCH, 2022.

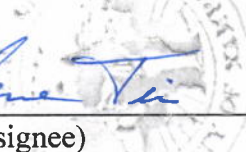
APPROVED BY THE MAYOR OF THE CITY OF NAMPA, IDAHO, THIS 21ST DAY OF MARCH, 2022.

APPROVED:


Debbie Kling, Mayor

ATTEST:


City Clerk (or designee)

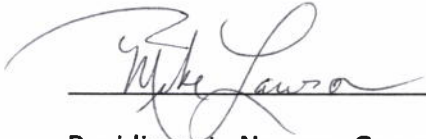


State of Idaho)

Canyon County)

On this 21st day of March 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Debbie Kling known to be the Mayor and Charlene Tim known to be the City Clerk of the City of Nampa, a municipal corporation, who executed the foregoing instrument.

In Witness Thereof, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.



Residing at: Nampa, Canyon County, Idaho
My Commission Expires: 06-03-2025

