

AGENDA RESERVATION REQUEST

CITY OF FRANKLIN COMMON COUNCIL

Please type or print

Date Submitted: 9/11/2012 **Meeting Date:** 9/17/2012

Contact Information:

Requested by: Kevin Tolloty, Associate Planner

On Behalf of Organization or Individual: Kroger Gardis & Regas, LLP

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Email address: bcb@kgrlaw.com www.kgrlaw.com

Mailing Address: 111 Monument Circle, Suite 900
Indianapolis, IN 46204-5125

Describe Request:

Request approval of Resolution No.: 2012-16 (Resolution of the Franklin Common Council Adopting Guidelines for City Council Legislative Redistricting)

List Supporting Documentation Provided:

Copy of Resolution 2012-16

Timetable and Checklist

Who will present the request?

Name: Brian Bosma & Tricia Leminger,
Kroger Gardis & Regas **Telephone:** (317) 692-9000

The Franklin City Council meets on the 1st and 3rd Monday of each month at 6:30 p.m. in the Council Chambers of City Hall located at 70 E. Monroe Street. In order for an individual and/or agency to be considered for new business on the agenda, this reservation form and supporting documents must be received in the Mayor's office no later than 12:00 p.m. on the Wednesday before the meeting.

RESOLUTION NO.: 2012-16

**RESOLUTION OF THE FRANKLIN COMMON COUNCIL
ADOPTING GUIDELINES FOR CITY COUNCIL
LEGISLATIVE REDISTRICTING**

WHEREAS, Ind. Code § 36-4-6-4(g)(1) requires the Common Council (the "Council") of the City of Franklin, Indiana (the "City") to redistrict the City's legislative body districts in the second year after a year in which a federal decennial census is conducted; and

WHEREAS, the Council desires to establish new City legislative body districts for the elections occurring in 2015 and thereafter utilizing the 2010 decennial census data; and

WHEREAS, the Council desires the public to be fully informed regarding the procedures to be used to redistrict the City's legislative body districts; and

WHEREAS, the Council wishes to memorialize the legal and procedural requirements to be used by the Council in approaching the redistricting process and in evaluating proposed redistricting plans.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Franklin, Indiana that:

Section 1. 2012 Redistricting Guidelines Adopted. The Council hereby adopts and approves the "**2012 Redistricting Guidelines by the Common Council of the City of Franklin, Indiana**" (the "Guidelines") attached to this resolution as Exhibit "A", and specifically incorporated herein by reference, as the definitive statement of the intent of the Council regarding the redistricting process and as an accurate statement of the process to be used by this Council in redistricting legislative body districts.

Section 2. Appointment of Redistricting Coordinator. The Council hereby designates Council Member Joseph P. Abban to serve as the City's Redistricting Coordinator to coordinate the legislative body redistricting process and to implement the Guidelines.

Section 3. Charge to Coordinator. The Redistricting Coordinator appointed herein is authorized, empowered and directed to become fully informed regarding the legal requirements of the redistricting process, to work with the City's special legal counsel to develop a proposed Redistricting Plan that complies with all requirements of state and federal law and with the Guidelines for consideration by the Council, and to report back to the Council from time to time regarding all aspects of the redistricting process.

Section 4. Effectiveness. This Resolution shall take effect immediately upon its passage by the Council.

RESOLVED, this 17th day of September, 2012.

Voting Affirmative:

Stephen D. Barnett, Council President

Joseph P. Abban

Joseph R. Ault

Kenneth W. Austin

Robert D. Henderson

Stephen D. Hougland

Richard L. Wertz

Voting Opposed:

Stephen D. Barnett, Council President

Joseph P. Abban

Joseph R. Ault

Kenneth W. Austin

Robert D. Henderson

Stephen D. Hougland

Richard L. Wertz

Presented by me to the Mayor of the City of Franklin, Indiana for his approval
and signature on this ____ day of September, 2012.

Janet P. Alexander, Clerk-Treasurer
City of Franklin, Indiana

APPROVED and signed by me on this ____ day of
September, 2012.

Joseph E. McGuinness
Mayor of Franklin, Indiana

ATTEST:

Janet P. Alexander, Clerk-Treasurer
City of Franklin, Indiana

EXHIBIT "A"

2012 REDISTRICTING GUIDELINES BY THE COMMON COUNCIL OF THE CITY OF FRANKLIN, INDIANA

These guidelines are adopted to establish the criteria to be used to redistrict legislative body districts in the City of Franklin (the "City") in compliance with Ind. Code § 36-4-6-4 and other applicable provisions of the Indiana Code. It is the intent of these guidelines and of the Common Council of the City (the "Council") to promote free and open participation by the public in the redistricting process, to create district boundaries that enhance and facilitate effective representation of all citizens in the City and to comply with all relevant statutory and constitutional requirements. The goal of the Council in this redistricting process is no less than the constitutional imperative described by the United States Supreme Court in the case of Reynolds v. Sims as "fair and effective representation of all citizens."

I. REQUIREMENTS OF INDIANA CODE §36-4-6-4

Redistricting of Common Council districts last occurred in 2002 as codified by Ordinance No. 02-12 finally adopted on October 28, 2002. Ind. Code § 36-4-6-4 (the "City Districting Statute" or "Statute") establishes certain minimal criteria for the redistricting process. It is the intent of these Guidelines to fully comply with the criteria set forth in the City Districting Statute and other applicable state and federal laws. Compliance with statutory criteria is discussed more specifically in subsequent sections of these Guidelines.

Applicable portions of the City Districting Statute provide as follows:

- (a) This section applies to third class cities, except as provided by section 5 of this chapter.
- (b) *[Inapplicable language omitted]*. The legislative body shall adopt an ordinance to divide the city into five (5) districts that:
 - (1) are composed of contiguous territory, except for territory that is not contiguous to any other part of the city;
 - (2) are reasonably compact;
 - (3) do not cross precinct boundary lines except as provided in subsection (c) or (d); and
 - (4) contain, as nearly as is possible, equal population.
- (c) The boundary of a city legislative body district may cross a precinct boundary line if:
 - (1) more than one (1) member of the legislative body elected from the districts established under subsection (b), (j), or (m) resides in one (1) precinct established under IC 3-11-1.5 after the most recent municipal election; and
 - (2) following the establishment of a legislative body district whose boundary crosses a precinct boundary line, not more than one (1) member of the legislative body elected from the districts resides within the same city legislative body district.
- (d) The boundary of a city legislative body district may cross a precinct line if the

districts would not otherwise contain, as nearly as is possible, equal population.

(e) A city legislative body district with a boundary described by subsection (c) or (d) may not cross a census block boundary line:

- (1) except when following a precinct boundary line; or
- (2) unless the city legislative body certifies in the ordinance that the census block has no population, and is not likely to ever have population.

(f) The legislative body may not adopt an ordinance dividing the city into districts with boundaries described by subsection (c) or (d) unless the clerk of the city mails a written notice to the circuit court clerk. The notice must:

- (1) state that the legislative body is considering the adoption of an ordinance described by this subsection; and
- (2) be mailed not later than ten (10) days before the legislative body adopts the ordinance.

(g) The division under subsection (b), (j), or (m) shall be made:

- (1) during the second year after a year in which a federal decennial census is conducted; and
- (2) when required to assign annexed territory to a district. This division may be made at any other time, subject to IC 3-11-1.5-32.

(h) *[Inapplicable language omitted]*. The legislative body is composed of five (5) members elected from the districts established under subsection (b) and two (2) at-large members.

(i) *[Inapplicable language omitted]*. Each voter of the city may vote for two (2) candidates for at-large membership and one (1) candidate from the district in which the voter resides. The two (2) at-large candidates receiving the most votes from the whole city and the district candidates receiving the most votes from their respective districts are elected to the legislative body.

(j) *[Inapplicable language omitted]*.

(k) *[Inapplicable language omitted]*.

(l) *[Inapplicable language omitted]*.

(m) *[Inapplicable language omitted]*.

(n) A copy of the ordinance establishing districts under this section must be filed with the circuit court clerk of the county that contains the greatest population of the city no later than thirty (30) days after the ordinance is adopted.

(o) If any territory in the city is not included in one (1) of the districts established under this section, the territory is included in the district that:

- (1) is contiguous to that territory; and
- (2) contains the least population of all districts contiguous to that territory.

(p) If any territory in the city is included in more than one (1) of the districts established under this section, the territory is included in the district that:

- (1) is one (1) of the districts in which the territory is described in the ordinance adopted under this section;
- (2) is contiguous to that territory; and
- (3) contains the least population of all districts contiguous to that territory.

II. CRITERIA TO BE CONSIDERED WHEN DRAWING DISTRICT BOUNDARIES

A. Contiguous Territory

The City Districting Statute specifies that legislative body districts shall be "composed of contiguous territory, except for territory that is not contiguous to any other part of the city." The Council interprets this requirement to mean that, among other things, a legislative body district cannot be made up of one or more areas that meet at the points of adjoining corners. The Council is committed to creating legislative body districts that consist only of contiguous territory.

B. Reasonably Compact

The City Districting Statute requires that districts must be "reasonably" compact. The Council recognizes that this requirement does not require districts to be as compact as possible. Moreover, the Council believes that the goal of compactness should generally defer to criteria more fundamental to obtaining effective and functional electoral districts including population equality, respect for precinct boundaries, respect for natural geography, building patterns and communities of interest. The compactness requirement would, however, override these other criteria in some instances as when the degree of compactness of the proposed district would be considered "unreasonable." The Council is committed to creating legislative body districts that are reasonably compact.

C. Equal Population

The City Districting Statute requires that City legislative body districts "contain, as nearly as is possible, equal population." This requirement includes both the selection of accurate data upon which to base the Council's determination, and a determination regarding the minimum standards for population equality.

1. Use of Census Data

The Council recognizes that use of data from the 2010 Federal Decennial Census has not been mandated by the Indiana General Assembly or the courts. Nevertheless, the vast majority of political subdivisions in Indiana and throughout the nation rely on Federal Decennial Census data for drawing district boundaries and such data is accepted as reasonably accurate. Moreover, such data is readily available and accessible by the public.¹ Consequently, the Council will use

¹ Census data is available on the website of the United States Census Bureau found at www.census.gov.

2010 Federal Decennial Census population data (adjusted for any post-census annexations) to redistrict the City's legislative body districts.

2. Population Deviation

The City Districting Statute requires districts that "contain, as nearly as is possible, equal population." The City interprets this phrase to mean that City legislative body districts must comply with the equal protection clause of the United States Constitution as that clause has been interpreted with respect to local government election districts. The modifying language clearly indicates, however, that, unlike federal Congressional districts, precise equality of population among districts is not specifically required by the Statute.

In order to comply with the City Districting Statute and the equal protection clause of the United States Constitution the Council will evaluate the population of each district of any redistricting plan considered by the Council for "deviation from the ideal district size" and will also evaluate any such redistricting plan for the "total deviation" of the plan. As used in these Guidelines the term "ideal district size" refers to the total population of the City (as determined by the 2010 Census) divided by five (5). The term "deviation from the ideal district size" refers to the amount by which the population of any district is greater than or less than the ideal district size and is expressed as a percentage by dividing the difference between the actual and ideal district sizes by the ideal district size. The term "total deviation" refers to the sum that is derived by adding the deviation from the ideal district size of the smallest and largest population districts (expressed as a percentage).

The City recognizes that total population deviations of less than ten percent (10%) are considered prima facie constitutional for state legislative districts pursuant to Supreme Court precedent and that total population deviations in excess of ten percent (10%) may be justified if supported by reasonable state interests. Courts have generally applied similar standards to local government apportionment efforts.

Nevertheless, the Council has determined that a primary goal of the redistricting process should be the creation of districts with equal population and that any significant deviation from this principle must be adequately justified and as narrow as possible to meet the stated reasons for the deviation. Any total deviation in excess of five percent (5%) shall be justified in writing with reference to one or more rational objective criteria including:

- a. contiguity;
- b. compactness;
- c. adherence to precinct boundary lines (except as allowed by the Statute);
- d. respect for and adherence to natural geography and building patterns including, but not limited to, rivers, streets, shopping areas, neighborhoods, etc.;
- e. communities of interests;
- f. other objective criteria.

Written comments accompanying any redistricting plan submitted by a member of the public for consideration should reference any objective criteria relied upon to justify a total population deviation in excess of five percent (5%).

D. Precinct Boundary Lines

The City Districting Statute provides that districts may not cross precinct lines unless: (1) more than one member of the Council resides in a single precinct as described; or (2) the districts would not otherwise contain, as nearly as is possible, equal population. The Council recognizes that respect for precinct boundaries is essential to minimize voter confusion on election day, to reduce the cost of election administration, to help preserve communities of interest and to encourage voter understanding of the electoral process. The Council is committed to creating legislative body districts that respect precinct boundary lines; nevertheless, the Council has determined that a primary goal of the redistricting process should be the creation of districts with equal population, and in light of this goal, the breaking of some precinct boundary lines may be required but should be minimized to the extent reasonably practicable. Prior to the adoption of a final plan which includes districts crossing precinct lines, the Clerk-Treasurer shall give the notice required by subsection (f) of the City Redistricting Statute. The precinct boundary lines used to create City Council districts shall be those precinct boundary lines in use in Johnson County as of July 1, 2012.

E. Dilution of Minority or Political Voting Strength

The Council recognizes the fundamental right of political participation by all citizens in the City. Consequently, no district shall be drawn to intentionally dilute or that has the effect of diluting the voting strength of any language or racial minority group. Any proposed redistricting plan demonstrated to have the intent or effect of dispersing or concentrating minority population in a manner that prevents minority communities from electing their candidates of choice shall not be acceptable.

In addition, no district shall be drawn for the purpose of discriminating against an identifiable political group in such a way that the group's electoral influence is consistently degraded.

F. Communities of Interest

The Council believes that an important function of electoral districts is to promote and enhance community cohesiveness and dialogue and to promote the recognition of unique interests that are held in common by recognizable groups of voters. Such interests may include social, cultural, or economic interests common to the population of the area. In the redistricting process the City will preserve communities of interest where possible so long as recognition of such interests does not conflict with statutory or constitutional redistricting criteria.

III. PUBLIC NOTICE AND PARTICIPATION IN THE DISTRICTING PROCESS

Believing that public participation is essential to a fair and effective redistricting plan, the Council adopts the following plan for public participation in the redistricting process.

A. All Redistricting Meetings to be Public

All districting meetings conducted by the Council shall be held in public as required by Ind. Code § 5-14-1.5-1 et seq.

B. Public Notice Regarding Meetings At Which Redistricting Plans Are To Be Considered

The Council shall comply with the public notice requirements which are applicable to all Council Meetings.

C. Public Access to Redistricting Information and Submission of Proposed Plans.

The Council desires and welcomes full public participation in the redistricting process. In order to ensure public participation in the redistricting process the Council authorizes the following steps to be taken by the Redistricting Coordinator:

1. Publication of the notice set forth in Exhibit "1" in the Franklin Challenger, Daily Journal, and the Court & Commercial Record as soon as reasonably practical after the adoption of these Guidelines. The Redistricting Coordinator is further authorized to publish notice in such other publications as deemed appropriate by the Redistricting Coordinator.
2. Provision of individual notice of any public redistricting meetings not described in these Guidelines and not listed on the notice published in compliance with the preceding paragraph to all members of the public who request such notice by filing a written request for notification with the office of the Clerk-Treasurer.
3. Provision of the notice set forth in Exhibit "1" via a news release distributed to all media that have requested notice pursuant to Ind. Code § 5-14-1.5-5.
4. Provision of City maps indicating precinct boundaries and summary population data at the precinct level to members of the public at no cost for the purpose of facilitating the creation and submission of alternative redistricting plans by members of the public.
5. Production of minutes of all public redistricting meetings by the City's Clerk-Treasurer to be made available for review after approval at the next Council meeting.

D. Individual Notice Regarding Districting Process

Individual notice regarding any aspect of the districting process shall be given without charge to any individual or organization that requests it. Such requests shall be filed in the office of the Clerk-Treasurer, 70 E. Monroe Street, P.O. Box 280, Franklin, IN 46131.

E. Additional Notice

Additional notice shall be provided as described elsewhere in these Guidelines.

IV. SUBMISSION AND CONSIDERATION OF DISTRICTING PLANS

To meet the statutory requirements of the City Districting Statute and Ind. Code § 36-4-6-4, the Council must adopt on final passage an ordinance approving a districting plan no later than December 31, 2012.

A. Preparation of Draft Plan by Redistricting Coordinator

The Council has designated, by Resolution adopted contemporaneously with the adoption of these Guidelines, one of its members as the City's Redistricting Coordinator for the purpose of developing a draft plan (the "Draft Plan") that complies with the legal requirements for the creation of legislative body districts. The Redistricting Coordinator is further directed to ensure that the Draft Plan complies in all respects with the applicable portions of these Guidelines.

It is the responsibility of the City Redistricting Coordinator to prepare a Draft Plan that is made available to members of the public and members of the Council not later than Noon on November 9, 2012, the date designated for the submission of plans by the public. The Draft Plan shall thereafter be available for review in the office of the Clerk-Treasurer during normal business hours at the request of any member of the public prior to consideration of its final adoption.

B. Public Preparation and Submission of Redistricting Plans

The Council shall also receive redistricting plans submitted by any member of the public so long as any such plan is submitted in writing to the Clerk-Treasurer's office during regular business hours between the date of adoption of these Guidelines and prior to Noon on November 9, 2012.

Any plan offered by a member of the public must meet the following criteria in order to be considered:

1. It must have been submitted in writing to the City Redistricting Coordinator through the Clerk-Treasurer's office during regular business hours between the date of adoption of these Guidelines and Noon on November 9, 2012;
2. The precincts (or portions of partial precincts) contained in each proposed legislative body district shall be clearly written on the form provided;
3. The plan as submitted must stand as a complete City-wide plan for districting (i.e., all pieces of geography within the City must be accounted for in some district); and
4. The plan must comply completely in all respects with these Guidelines and with the instructions attached as Exhibit "2". Any total deviation in excess of 5% from population equality must be justified in writing with reference to the objective criteria set forth in these Guidelines.

A plan must meet the above requirements to be considered by the Council. As described in these Guidelines, each plan will be evaluated for:

1. compactness,
2. contiguity,
3. population deviation,
4. respect for precinct boundary lines (subject to the exceptions in the Statute),
5. compliance with the requirements prohibiting discrimination,
6. respect for communities of interest, and
7. other relevant criteria.

In order to assist in the evaluation of proposed plans each individual submitting a proposed districting plan is required to complete a statistical sheet and description in the form attached hereto as Exhibit "3" and list:

- a. the total population for each proposed district; and
- b. the population deviation from the ideal for each district.

A complete set of instructions and the statistical report for publicly submitted plans is set forth as Exhibit "2" and Exhibit "3" to these Guidelines and is specifically incorporated herein by reference.

C. Written Comments Regarding Redistricting Guidelines and Draft Plans

The Council will also receive public input in the form of written comments and objections by the public to any aspect of the districting process, including the adoption of the process or criteria set forth in these Guidelines and to any Draft Plan. Any member of the public desiring to submit written comments to the Council regarding the redistricting process set forth in these Guidelines should submit those comments in writing in the office of the Clerk-Treasurer during regular business hours between the date of adoption of these Guidelines and Noon on October 5, 2012. Written comments regarding the Draft Plan or any plan proposed by the public may be submitted until Noon on the date of the November 19, 2012 public hearing designated below.

D. Public Hearing Regarding Plan(s)

The Council shall hold a public hearing at the November 19, 2012 meeting of the Council (the "Public Hearing"), for the purpose of reviewing the Draft Plan and any public plans submitted to the Council and to take public testimony and comments regarding the Draft Plan and any plans proposed by the public. The Council shall make any necessary revisions or modifications to the plans under consideration prior to final adoption.

As the City Districting Statute requires the adoption of an ordinance to approve a districting plan, unless waived in accordance with Indiana law, the Council shall adopt an ordinance at two separate meetings of the Council at which a quorum is present. It is presently anticipated that the first reading of an ordinance to approve a districting plan will be adopted at the meeting at which the Public Hearing is held, and that the second and third reading on the ordinance approving a districting plan will be held at a regular or special meeting of the Council

thereafter. The second meeting is tentatively scheduled for December 3, 2012.² Additional meetings and revisions to any plan under consideration may occur at subsequent special or regular meetings at the Council's discretion. The final adoption of an ordinance approving a districting plan shall occur no later than December 31, 2012 in accordance with the City Districting Statute.

E. Additional Public Meetings

Should additional public meetings become necessary at any point in the redistricting process, such meetings will be held and any statutorily required notice shall be given. Notice of all redistricting meetings shall be posted in advance in the office of the Clerk-Treasurer. Parties interested in the redistricting process who desire to be notified regarding any additional public meetings should leave their name, complete address, work and home phone numbers, and electronic mail address with the Clerk-Treasurer's office and every effort will be made to give such individuals notice of any additional public meetings that may be required.³ Notice to such individuals will be attempted by either regular mail, electronic mail, phone or face to face communication.

V. AMENDMENT OF REDISTRICTING GUIDELINES

Should it become necessary at any time to amend these Guidelines the Council may do so upon a vote of the majority of the members of the Council at any duly called meeting of the Council.

² The date of the second meeting will be determined by the Council and announced no later than the November 19, 2012 Public Hearing.

³ The term "additional public meetings" refers to meetings not set forth in these Guidelines or in the Notice attached as Exhibit "1".

EXHIBIT “1”

Notice Regarding Division of the Common Council of the City of Franklin, Indiana into Legislative Body Districts

Pursuant to Ind. Code § 36-4-6-4, the Common Council of the City of Franklin (the “City”) is dividing the City’s legislative body districts into five (5) single member districts on or before December 31, 2012 for the election of Council Members in 2015 and thereafter. In order to accomplish this division, the Council has adopted Redistricting Guidelines which are available upon request in the office of the City Clerk-Treasurer, located at 70 E. Monroe St. P.O. Box 280, Franklin, Indiana 46131. The division of the Common Council into legislative body districts will be accomplished pursuant to the following schedule:

October 5, 2012 at Noon	Last Day for Member of the Public to Submit Objections or Written Comments Regarding the Redistricting Guidelines to the Office of Clerk-Treasurer.
November 9, 2012 at Noon	Deadline for Plans Submitted by the Public. Redistricting Coordinator Makes Draft of City Districting Plan Available for Examination by the Public at the Office of the Clerk-Treasurer.
November 19, 2012	Public Hearing for Purpose of Reviewing and Evaluating Draft of City Districting Plan and Plans Submitted by the Public, and Adopting on First Reading an Ordinance Preliminarily Approving a Plan. Written comments on any plan must be received by Clerk-Treasurer by Noon this day.
December 3, 2012 (tentative)	Public Meeting for Purpose of Making Revisions to Plan to be Adopted by Council and to Adopt an Ordinance Approving the Plan on Final Passage (actual meeting date announced at November 19 th hearing)
December 15, 2012	Filing of a Certified Copy of the Ordinance Establishing Districts with the Clerk of the Johnson County Circuit Court no later than Thirty (30) Days After the Ordinance is Adopted Pursuant to Ind. Code § 36-4-6-4(n).

Each of the meetings set forth above will be held in the Council Meeting Room of the Franklin City Hall, 70 E. Monroe Street, Franklin, Indiana, and shall begin promptly at 6:30 p.m. The public’s participation in the redistricting process is welcomed. All Council meetings are open to the public. The public is invited to submit proposed districting plans that comply with the Redistricting Guidelines adopted by the Council. A Public Plan Submission Kit (including census data) is available during normal business hours in the office of the City Clerk-Treasurer set forth above. In order to be considered by the Council, redistricting plans submitted by the public must comply with the Redistricting Guidelines and must be submitted to the Clerk-Treasurer by Noon on November 9, 2012.

EXHIBIT “2”

Instructions for Submitting District Plans for Franklin

The procedures for submitting district plans to the Common Council of the City of Franklin, Indiana is set forth in this Public Plan Submission Kit. For your plan to be accepted for consideration these procedures must be strictly followed.

This kit contains the following items supplied on written or digital media (CD-ROM):

1. A map of the City showing current precinct boundaries in .pdf format.
2. A map of the existing City district plan boundaries in .pdf format.
3. A table of existing precincts and corresponding population statistics.
4. A copy of the pertinent state statute.
5. A copy of the 2012 Redistricting Guidelines for City Redistricting.
6. Summary forms for submission of district plans.

Plans must be submitted in writing (note instructions below concerning provided forms) to the City Clerk-Treasurer's office during regular business hours no later than noon on November 9, 2012. Plans submitted after this time will not be considered by the Council.

Criteria for Submitted Plans

Plans must meet the following criteria in order to be considered by the Council. For more detailed discussion concerning these requirements refer to the "2012 Redistricting Guidelines by the Franklin City Council" document.

1. Districts must be composed of contiguous territory.
2. Districts must be reasonably compact.
3. Districts must be composed (as nearly as possible) of equal population based on 2010 decennial census data.
4. Districts should conform to existing precinct boundary lines (except as allowed by statute).
5. Districts should not intentionally dilute the voting strength of any language or racial minority group.

Census Data

Census data is available on the website of the United States Census Bureau at www.census.gov. Please note that the census data contained on the enclosed CD-ROM may differ somewhat from the 2010 census data due to recent annexations.

Submission of Plans

Plans submitted for review must be complete plans for the entire City which provide five districts meeting the above criteria. All geographic territory in the City must be included. Plans must be submitted to the office of the Clerk-Treasurer, 70 E. Monroe Street, Franklin, Indiana 46131 no later than noon on November 9, 2012.

Plans submitted should include the following items:

1. Detailed Description

The plan should be described by listing the precincts or portions of precincts (described by census block) assigned to each district. The plan may use the provided form to enter the district assignments, or precinct assignments may be entered on a spreadsheet by the submitter.

2. Summary Sheet

The summary sheet enclosed in the Public Plan Submission Kit must be completed, dated and signed by the submitter.

EXHIBIT "3"

Summary of City of Franklin Council Redistricting Plan

The attached plan is submitted for review and consideration by the Franklin Common Council.

Submitter Information

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Daytime Phone: _____ Evening Phone: _____

Electronic Mail Address: _____

Do you wish to present testimony to the Council regarding this plan?

_____ YES _____ NO

Note: Submitted Plans are the property of the City of Franklin and are part of the public record. They are not returnable.

Plan Summary

District	Ideal Population	Plan Population	Deviation
1			
2			
3			
4			
5			

Note: Ideal Population for Districts is based on the 2010 Census of Population and Housing Bureau of Census, U.S. Department of Commerce. The population counts are contained in the table included in the Public Plan Submission Kit.

"Plan Population" is the total number of persons in each of the districts as proposed in the submitted plan. "Deviation" is the positive or negative number obtained by subtracting the Plan Population value from the Ideal Population Value.

Date Plan Submitted: _____, 2012

Signature of Submitter: _____

If plan is being submitted on behalf of an organization or entity other than the above Submitter, please identify the organization or entity below:

Name of Organization: _____

Address of Organization: _____

City/State/Zip: _____

Name/Phone _____ Contact: _____

Electronic Mail Address: _____

Note: Plans must be submitted no later than Noon on November 9, 2012, and meet the requirements contained in the 2012 Redistricting Guidelines adopted by the City to be considered by the Council.

TIMETABLE AND CHECKLIST FOR REDISTRICTING 2012
CITY OF FRANKLIN, INDIANA (3rd Class City)

<u>DATE*</u>	<u>ACTION</u>	<u>STATUS</u>
Immediate	Execution of Engagement Letter for Legal Services for Redistricting Matters	<i>Completed</i>
Immediate	Obtain Current Districting Plan - Exhibits "A" and "B" to Municipal Code Section 2.04.020	<i>Completed</i>
August 31, 2012	Mapping Consultant Retained by Legal Counsel	<i>Completed</i>
September 9, 2012	Development of Draft Districting Guidelines and Public Access Plan to be submitted for Approval of Common Council	<i>Completed</i>
September 12, 2012	Forward Proposed Districting Guidelines and Public Access Plan to Council and assure inclusion on September 17 Agenda. Confirm Open Door Notice of Meeting to Council and Requesting Media	<i>Completed</i>
September 17, 2012	Council Meeting to Approve Resolution Adopting Districting Guidelines and Public Access Plan and Appointing Redistricting Coordinator	
September 24, 2012	Forward Notice of Intent to Adopt Districts and Deadline for Plan Submittal to: 1. Johnson County Daily Journal; 2. Franklin Challenger; and 3. Court & Commercial Record.	
September 26, 2012	Publication of Notice of Intent to Adopt Districts and Deadline for Submittal of Plans appears in <i>Daily Journal and Court & Commercial Record</i> .	
September 27, 2012	Publication of Notice of Intent to Adopt Districts and Deadline for Submittal of Plans appears in <i>Franklin Challenger</i> .	
September 28, 2012	Materials for drafting Public Plans submitted to City Clerk-Treasurer	
October 5, 2012	Last day to submit Objections or Written Comments regarding the Redistricting Guidelines	
October 5, 2012	Redistricting Coordinator Confirms all Incumbent Addresses and Intent to Seek Reelection	
Week of October 8 to November 2, 2012	Coordinator Prepares Draft Redistricting Plan with Special Counsel and Consultants	

Week of November 5, 2012	Individual Meetings with Council Members to review Draft Plan and Confirm all Incumbent Residences	
November 9, 2012 at Noon	Deadline for Submittal of Draft Plan and any Plans from the Public. All Plans available for Public Review on this date.	
November 12 to 16, 2012	Analysis of Alternate Plans by Attorney and Redistricting Coordinator and prepare for Presentation at Public Meeting	
November 19, 2012	Public Hearing for Purpose of Presenting City Districting Plan and for Discussion of Plans Submitted by Public. Adoption of Ordinance on First Reading in Support of Selected Plan.	
November 20, 2012	If Crossing Precinct Boundaries, Clerk Treasurer must mail notice to Johnson County Clerk 10 days before Adoption under IC 36-4-6-4(f)	
December 3, 2012	Public Meeting for Purpose of Making Revisions to Plan to be Adopted by Common Council and Adoption of Ordinance in Support of Selected Plan on Second and Third Reading.	
December 3, 2012	Ordinance forwarded to Mayor by Clerk-Treasurer. Within ten (10) days of passage, Mayor shall sign or veto Ordinance and communicate same to Clerk and Common Council IC 36-4-6-16	
December 13, 2012	Last day for Mayor to sign or veto Ordinance	
December 15, 2012	File a Certified Copy of the Ordinance Establishing Districts with the Clerk of the Johnson County Circuit Court not later than Thirty (30) days after the Ordinance is Adopted. (I.C. 36-4-6-4(n))	
December 17, 2012	Backup Meeting for Final Adoption if Plan not adopted on final passage on November 22.	

**** Legal notices to be submitted for publication as follows:**

Johnson County Daily Journal: Publishes Daily; Forward 2 business days prior by Noon.

Franklin Challenger: Publishes Thursday; Forward 2 business days prior by Noon.

Court & Commercial Record: Publishes Mon., Wed, and Fri.; Forward 2 business days prior by Noon.

The city council meets the first and third Monday of each month at 6:30 p.m. Meetings are held in City Hall, located at 70 E. Monroe Street.