

1 RESOLUTION NO. 2015-388

Late Filing

First Reading Passage Requested

2
3 SPONSOR Ms. Shapiro (As a ministerial act only)

(Ms. Shapiro)

4
5 DATE August 31, 2015

COMMITTEE Committee of the Whole

6
7 **A Resolution acting on a petition signed by at least eight percent of the electors of the**
8 **County of Summit calling for the amendment of Article III, Section 3.01.4 of the Summit**
9 **County Charter to redraw the current Council legislative districts for the November 8,**
10 **2016 general election prior to the Federal decennial census of 2020, to create a Council**
11 **Districting Commission to apportion Council into legislative districts commencing with the**
12 **Federal decennial census of 2020 and to establish principles for said apportionment, for the**
13 **Council, and declaring an emergency.**

14
15 BE IT RESOLVED by the Council of the County of Summit, State of Ohio:

16
17 SECTION 1

18
19 A petition signed by at least eight percent of electors of the County of Summit, and
20 calling for an election on whether Article III, Section 3.01.4 of the County Charter shall be
21 amended to read as hereinafter set forth having been submitted to Council and found sufficient
22 according to law. The question of the amendment of Article III, Section 3.01.4 of the of the
23 Charter of the County of Summit shall be submitted to a vote of the qualified electors of the
24 County at the general election to be held on November 3, 2015, at the regular places of voting in
25 the County, during the regular hours of voting on such date as prescribed by general law. The
26 Charter, as amended, shall read as follows:

27
28 **“SECTION 3.01.4 APPORTIONMENT.**

29 ~~Beginning in July of 1991, the County Council by ordinance shall apportion the County~~
30 ~~into legislative districts. Every district shall be of substantially equal populations, compact and~~
31 ~~composed of contiguous territory and formed by combining the areas of governmental units~~
32 ~~giving preference in the order named to townships, municipalities and city wards and~~
33 ~~precincts. In making any new apportionment, district boundaries established by the preceding~~
34 ~~apportionment shall be adopted to the extent reasonably consistent with the other requirements~~
35 ~~of law. No later than December 31st of the publication year of each recurring decennial~~
36 ~~Federal census, except when a County Council district election falls the year after publication~~
37 ~~of the census in which case no later than October 1st of the year of publication of the census,~~
38 ~~the County Council shall apportion the County into districts as herein provided. If the County~~
39 ~~Council fails to apportion the County into districts by the deadlines set forth herein, the County~~
40 ~~Executive shall within thirty days thereafter submit to the County Council a plan for~~
41 ~~apportionment of the County. The County Council shall within thirty (30) days after receiving~~
42 ~~the County Executive’s plan apportion the County as herein provided, and if it does not~~
43 ~~apportion the County within thirty (30) days the County Executive’s plan shall become~~
44 ~~effective until the next recurring decennial Federal census when the County shall be again~~
45 ~~apportioned as herein provided. The County Council may at any time, by the affirmative vote~~
46 ~~of at least two-thirds of the members of the County Council, make minor adjustments to the~~
47 ~~legislative districts to make the boundaries of the districts identical to precinct boundaries as~~
48 ~~established by the Board of Elections to facilitate the administration of elections within the~~
49 ~~County of Summit between each recurring decennial Federal census.~~

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4 SECTION 1 (Cont.)

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6
7 (A) Initial Districts. The eight districts from which the members of the Council shall be
8 elected at the November 8, 2016 general election are described in detail in Appendix A, which is
9 attached to this Charter and made a part hereof.

10
11 (B) Redistricting. Immediately following each decennial Federal census commencing with
12 the census of 2020, the Council shall appoint five electors of the County, not more than three of
13 whom shall be members of the same political party and none of whom shall hold public office or
14 be an officer of a political party, who shall constitute a Council Districting Commission. The
15 Commission shall, not later than one hundred twenty days following its appointment, prepare
16 and certify to the Board of Elections of the County of Summit a detailed apportionment of the
17 Council districts in accordance with the principles provided for in this section. The County
18 Executive shall provide for the Commission such facilities and assistance as shall be required for
19 the Commission to carry out its duties as provided for herein. That apportionment shall be
20 completed by the same date as the apportionment for the Ohio General Assembly and shall be
21 effective for the first regular County election thereafter.

22
23 (C) Principles for Establishing District Boundaries. All districts shall be of substantially
24 equal population, compact and composed of contiguous territory and formed by combining
25 existing areas of governmental units, giving preference, in the order named, to townships,
26 municipalities and city wards and precincts. All portions of a district must be contiguous. When
27 a political subdivision has a non-contiguous portion, it shall be considered contiguous to the
28 remainder of the political subdivision for the purposes of redistricting. Precincts shall not be
29 divided for the purpose of creating Council districts. No political subdivision may be divided
30 between more than one Council district with the exception of a political subdivision with a
31 population in excess of 105% of the total population of the County when divided by the number
32 of Council districts, in which case the political subdivision shall be divided into as few districts
33 as possible. To the degree allowable by federal and state law, consideration will be given to
34 district boundaries that broaden the opportunities for historically under-represented and minority
35 communities to elect representatives to the Council. The Council may establish additional
36 criteria for the Council Districting Commission to use for the purpose of drawing district
37 boundaries, in order to achieve a government that is effective, efficient, and at the same time,
38 accountable, responsive, and fairly representative, as long as such criteria do not conflict with
39 the Constitution of the United States of America, the Constitution of the State of Ohio and
40 applicable federal or state law.”

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4 SECTION 1 (Cont.)

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Appendix A

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District	Included Municipalities, Townships, City Wards and Precincts
1	Bath Township, Village of Boston Heights, Boston Township, City of Macedonia, Northfield Center Township, Village of Northfield, Village of Peninsula, Richfield Township, Village of Richfield, Sagamore Hills Township, City of Twinsburg
2	City of Akron Ward 1, City of Akron Ward 3 Precincts C, E, F, G, H, City of Akron Ward 4, City of Akron Ward 8
3	City of Hudson, City of Monroe Falls, Village of Reminderville, Village of Silver Lake, City of Stow, Twinsburg Township
4	City of Akron Ward 2, City of Akron Ward 3 Precincts D, I, L, M, N, City of Akron Ward 5, City of Akron Ward 10
5	City of Akron Ward 3, Precincts A, B, J, K, City of Akron Ward 6, City of Akron Ward 7, City of Akron Ward 9
6	City of Cuyahoga Falls, Village of Mogadore, City of Tallmadge
7	City of Barberton, Copley Township, City of Fairlawn, City of Norton
8	Village of Clinton, Coventry Township, City of Green, Village of Lakemore, City of New Franklin, Springfield Township

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SECTION 2

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The ballot form for this question shall be as follows:

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PROPOSED AMENDMENT TO COUNTY CHARTER

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A majority affirmative vote is necessary for passage.

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(Vote ballot with "X")

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Shall the Charter of the County of Summit be amended to create a Council Districting Commission to apportion Council into legislative districts commencing with the Federal decennial census of 2020, to establish principles for said apportionment, and to immediately enact new Council districts for the November 8, 2016 general election that were not drawn or approved by the Council Districting Committee, but instead were drawn by the committee representing the petitioners proposing this Charter amendment?

28

FOR THE AMENDMENT _____

29

30

AGAINST THE AMENDMENT _____

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4 SECTION 3

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6 The Clerk of this Council is hereby authorized and directed to promptly forward a
7 certified copy of this Resolution to the Board of Elections of Summit County not later than the
8 sixtieth day prior to the November 3, 2015 general election.

9
10 SECTION 4

11
12 Notice of the proposed amendment set forth herein shall be given by publishing the full
13 text of the proposed amendment once a week for at least two (2) consecutive weeks in a
14 newspaper published in the County as set forth in Section 307.70 of the Ohio Revised Code.

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16 SECTION 5

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18 This Resolution is hereby declared an emergency in the interest of the health, safety, and
19 welfare of the citizens of the County of Summit, and for the further reason to forthwith submit to
20 the electors of the County of Summit the proposed amendment of Article III, Section 3.01.4 of
21 the County Charter as submitted to County Council in a petition signed by at least eight percent
22 of electors of the County of Summit calling for such an election and found sufficient according
23 to law.

24
25 SECTION 6

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27 This Resolution shall take effect at the earliest time allowed by law.

28
29 SECTION 7

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31 It is found and determined that all formal actions of this Council concerning and relating
32 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
33 deliberations of this Council and of any of its committees that resulted in such formal action,
34 were in meetings open to the public, in compliance with all legal requirements, including Section
35 121.22 of the Ohio Revised Code.

36
37 INTRODUCED August 31, 2015

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39 ADOPTED August 31, 2015

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41 
42 CLERK OF COUNCIL

43
44 
45 PRESIDENT OF COUNCIL

46
47 APPROVED September 1, 2015

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49 
50 EXECUTIVE

ENACTED EFFECTIVE September 1, 2015

ROLL CALL VOTE: 9-2 YES: Comunale, Crawford, Donofrio, Kostandaras, Kurt,
Prentice, Rodgers, Schmidt, Shapiro
NO: Feeman, Lee