

ORDINANCE 23-04

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF CASTLE PINES, COLORADO
CHANGING THE BOUNDARIES OF THE THREE DISTRICTS OF THE CITY IN
ACCORDANCE WITH SECTION 2.3 OF ARTICLE II OF THE CITY CHARTER**

WHEREAS, the City of Castle Pines is a home rule municipal corporation with all the power of local self-government and home rule and all power possible for a city to have under the Constitution of the state of Colorado; and

WHEREAS, in accordance with Section 2.3 of the Home Rule Charter (“Charter”), the City is divided into three districts from which Council members and the Mayor shall be elected; and

WHEREAS, the current boundaries of each district are established pursuant to Ordinance No. 19-04; and

WHEREAS, Section 2.3 of the Charter provides that Council districts shall conform with constitutional requirements, and, further, that any changes in the boundaries of districts must be made by ordinance at least 180 days prior a regular or special municipal election; and

WHEREAS, constitutional principles require that voting districts have roughly the same number of residents (within a 5-10 percentage differential) with equal representation under a one person-one vote standard; and

WHEREAS, the general rule is that redistricting should occur when population differences are greater than 10%; however, most Colorado municipalities trigger redistricting when the population difference between districts is between 2-5% (*See White v. Register*, 412 U.S. 755, 763 (1973)); and

WHEREAS, United States courts have further identified the following goals to be achieved through redistricting: compactness; contiguity; and preservation of communities of interest (communities with one of more unifying features, such as geography, demography, ethnicity, culture, and other features); and

WHEREAS, the City will conduct its next regular election, in coordination with the state election, on November 7, 2023; and

WHEREAS, City Staff has reviewed the latest available census figures following the 2020 federal census and determined that redistricting is warranted; and

WHEREAS, based on the varying population totals among the districts, changes to the boundaries of the City Council districts are recommended as set forth in **Exhibit A**, attached hereto and incorporated herein (“**Exhibit A**”); and

WHEREAS, the changes to the district boundaries as set forth in **Exhibit A** result in an estimated population percentage differential between the district with the highest population number (District 3) and the district with the lowest population number (District 2) of 2.61%; and

WHEREAS, in conformance with constitutional principles and the Charter, the City Council desires to change the boundaries of the Council districts as set forth herein,.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Castle Pines, Colorado:

Section 1. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. In accordance with Section 2.3 of the Charter, the Council district boundaries of the City shall be redrawn and re-established as set forth in **Exhibit A**.

Section 3. Pursuant to Section 2.3(b) of the Charter, no change in the boundary of any district shall operate to disqualify any Council member from office before the expiration of the term for which the incumbent Council member was elected or appointed.

Section 4. **Severability.** If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect, in accordance with Section 6.8 of the Charter.

Section 5. **Safety Clause.** The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Castle Pines, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

Section 6. **Publication and Effective Date.** The City Clerk is hereby directed to cause publication of this Ordinance in accordance with Section 6.5 of the Charter. This Ordinance shall be effective thirty (30) days after final publication on the City's official website and posting at the City Clerk's office pursuant to Section 1-3-40 of the Municipal Code.

INTRODUCED, READ, AND PASSED ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 28th day of FEBRUARY, 2023.

READ, PASSED, AND ADOPTED ON SECOND READING, FOLLOWING A PUBLIC HEARING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 14th day of MARCH, 2023.




Tracy Engerman (Apr 2, 2023 13:52 MDT)

Tracy Engerman, Mayor

ATTEST:



Tobi Duffey, MMC, City Clerk

Approved as to form:



Linda C. Michow, City Attorney

CERTIFICATION OF PUBLICATION

I hereby attest and certify that the within and foregoing Ordinance was introduced and read on first reading on February 28, 2023; published by title only in the *Douglas County News-Press*, together with the statement that “[t]he complete text of the ordinance is available through the City Clerk’s office and on the City’s official website with second reading and public hearing to be held on March 14, 2023”; and finally passed and adopted by the City Council on March 14, 2023, following a duly noticed public hearing and published on the City’s official website and posted at the City Clerk’s office on March 15, 2023.

ATTEST:

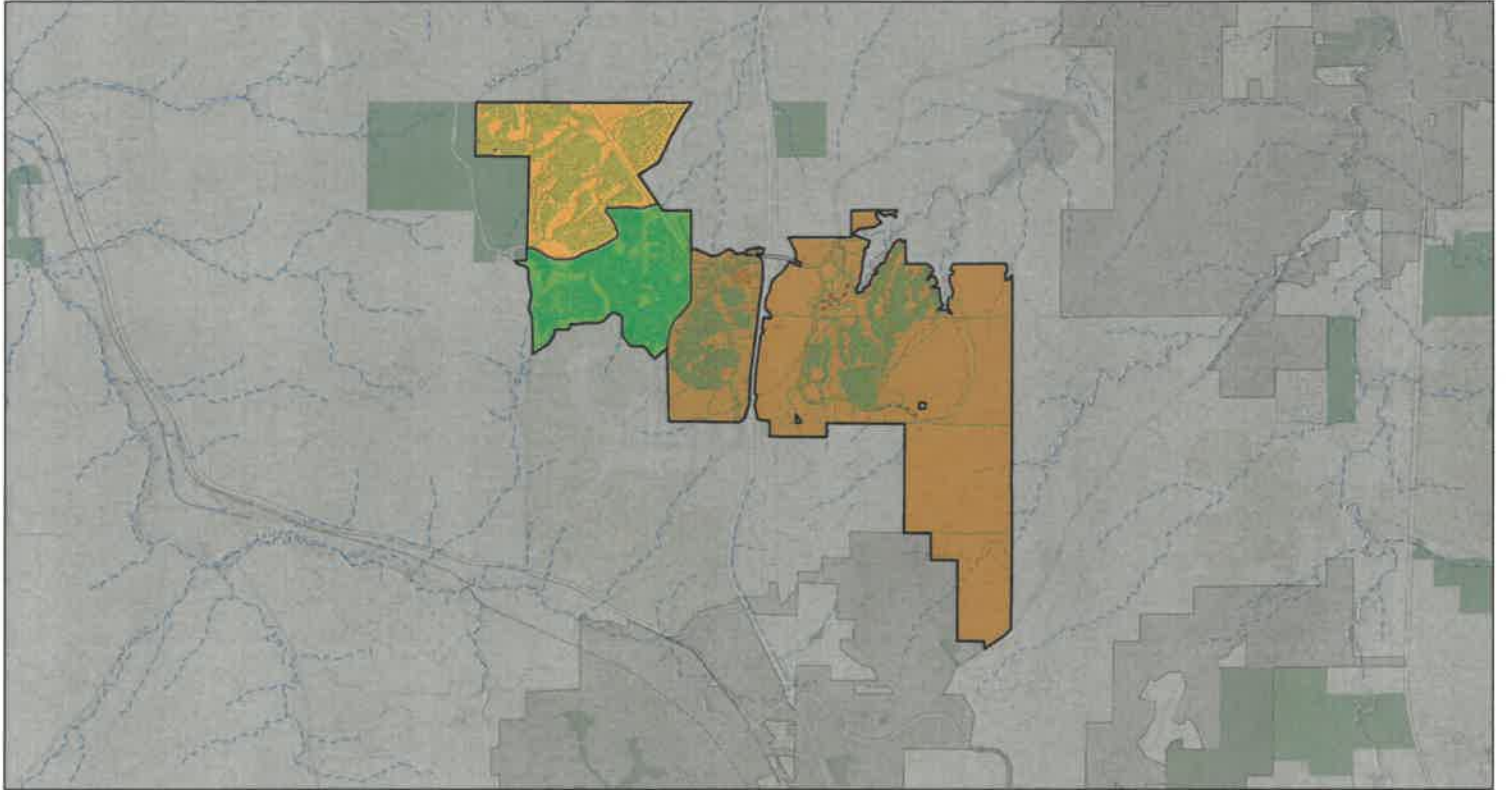


Tobi Duffey, MMC, City Clerk

EXHIBIT A

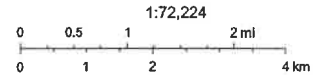
**CITY OF CASTLE PINES COUNCIL DISTRICT MAP
EFFECTIVE ON
APRIL 14, 2023**

2023 Council District Boundaries



3/24/2023, 2:06:09 PM

- Castle Pines Boundary
- District 3
- City Council Districts
- Parcels
- District 1
- Douglas County Municipality Boundaries
- District 2



County of Douglas, CO, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METINASA, USGS, EPA, NPS, USDA

County of Douglas, CO, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METINASA, USGS, EPA, NPS, USDA | Esri, NASA, NGA, USGS |