

ORDINANCE NO. 20, 2025

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, CREATING THE VALPARAISO CITIZENS REDISTRICTING ADVISORY COMMISSION WITHIN THE CITY OF VALPARAISO, INDIANA

WHEREAS, Indiana Code 36-4-6-4 requires that the City of Valparaiso, Indiana (City) be divided into five (5) Council districts during the second year after a year in which a federal decennial census is conducted; and

WHEREAS, I.C. 36-4-6-4 also requires that these districts be contiguous, reasonably compact, and as nearly as possible, of equal population, and make every effort to not cross precinct boundaries; and

WHEREAS, an independent, citizens-led redistricting commission will lend public legitimacy to the redistricting process and minimize conflicts of interest that might be present in the redistricting process; and

WHEREAS, the voters and residents of Valparaiso are best served by a common goal of fairness, with no political party being granted an unfair electoral advantage, this ordinance is intended to support that goal of fairness; and

WHEREAS, the Valparaiso Common Council wishes to conduct the process of redistricting in an open manner with meaningful opportunities for public feedback and engagement.

NOW, THEREFORE, BE IT ORDAINED by the Valparaiso Common Council that:

SECTION 1. Citizens Redistricting Advisory Commission

- (a) **Establishment and Purpose.** There is hereby established a five-member Citizens Redistricting Advisory Commission “Commission”, whose purpose shall be to make recommendations to the Valparaiso Common Council regarding its decennial redistricting ordinance, which will divide the City into the five council districts from which council members shall be elected.
- (b) **Term.** The Commission shall convene no later than March 1, in the year that is two years after the decennial census. All Commission members shall serve until district boundaries are adopted by the Common Council. The Commission shall be convened in the event the City is required, due to annexation or other legal procedure, to redraw council district lines after the adoption of district boundaries by the Common Council. The same membership selection process shall be followed in the event the Commission is convened.
- (c) **Membership Qualifications.** The Commission shall consist of nine members (five (5) voting members and four (4) non-voting members), subject to the following qualifications and limitations.
 - (1) Registered voters – Each member must be a registered voter residing within the municipal boundaries of the City.

- (2) Voting record – To be eligible for appointment to the Commission, each member shall have voted as a resident of the City in the last two general elections immediately preceding the formation of the Commission.
- (3) Limitations – The following individuals are excluded from serving as a voting member on the Commission:
- (A) Anyone who currently, or during the ten years prior to the Commission’s formation, holds a partisan public office or was a candidate for a partisan public office in the City or Porter County;
 - (B) Anyone who is currently serving in an appointed position to a commission, advisory board or council, as appointed by a public official in the City;
 - (C) Anyone who is currently an officer of any federal, state, county or city-level political party or has been an officer during the previous 10 years;
 - (D) Anyone who is a precinct committee person;
 - (E) A committee chair or treasurer member of a partisan city or county candidate in Porter County in the last election cycle;
 - (F) Anyone who has contributed a cumulative total of \$1,000 or more to any political candidate(s) within the five years prior to the Commission’s formation;
 - (G) Anyone registered as a lobbyist under I.C. 2 – 7; and
 - (H) Immediate family member of any common council member. Immediate family members include spouse, child, grandchild, brother, sister, cousin, aunt, uncle, niece, nephew, mother-in-law, sister-in-law, father-in-law, brother-in-law.
- (d) Membership Selection Process. Commissioners shall be selected as follows:
- (1) Common Council at-Large Members elected in the year immediately following the decennial census shall serve as non-voting members of the Commission.
 - (2) The five (5) Valparaiso Common Council members elected in the year immediately following the decennial census from a district shall each appoint a voting member of the Commission.
 - (3) The City of Valparaiso Mayor and the City Common Council attorney shall serve as non-voting members of the Commission, and the Clerk-Treasurer shall serve as the clerk of the Commission.
 - (4) The Commission may seek consultation from any City department or any organization or individual who may provide helpful insight to the Commission;
 - (5) The voting members of the Commission shall select as its chair one of the voting members.

Persons appointed to the Commission must attest that they are eligible to serve per the conditions of this Ordinance, and have their eligibility verified by the City Attorney.

(e) Redistricting Criteria

The Commission shall recommend council district boundaries that comply with the United States Constitution, the Indiana Constitution, and applicable federal and state laws, including the federal Voting Rights Act and I.C. 36-4-6-4.

Criteria to be followed are:

- (1) Contiguous Territory: Districts shall be composed of contiguous territory, except for territory that is not contiguous to any other part of the city.
- (2) Reasonably Compact: This does not mean compact as possible but generally defers to criteria more fundamental to obtaining effective and functional electoral districts.
- (3) Equal Population: The City legislative body districts shall contain as nearly as possible, equal population, with a maximum deviation of 10%. Any deviation more than 5% shall be justified in writing, using one or more of the criteria.
- (4) Precinct Boundary Lines: Districts may not cross precinct lines unless more than one member of the council resides in a single precinct or the districts would not otherwise contain as nearly as possible, equal population.
- (5) Dilution of Minority or Political Voting strength: 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.
- (6) Communities of Interest: As electoral districts support the social fabric of a community by ensuring that groups with shared identities and concerns are recognized and empowered within the democratic process, the districts shall strive where possible to represent groups of voters such as keeping neighborhoods intact, ensuring a public school and public park is in each district, along with other social, cultural and economic interests. Communities of interest do not include relationships with a political party, incumbent elected official or candidate.

(f) Commission Processes and Transparency

- (1) The Commission shall establish a regular monthly meeting date and time but may choose to meet more often.
- (2) The Commission shall provide to the Common Council recommended council districts, an accompanying map depicting the recommended districts, and a report that explain the basis of the recommended districts.
- (3) Approval of the Commission's final recommendation requires an affirmative vote from at least four of the voting commissioners. All other actions of the Commission require a simply majority vote to pass.
- (4) The Commission shall be subject to the Indiana Open Door Law and the Access to Public Records Act.

(g) Legislative Approval.

- (1) The Commission shall provide the recommended council districts, along with the accompanying map and report, to the Common Council no later than October 1 in the year two years after a decennial census.
- (2) The Common Council shall pass new district maps no later December 31 in the year two years after a decennial census.
- (3) After considering the Commission's final recommendations, or if the Commission fails to provide recommended council districts by October 1 in the year two years after a decennial census, the Common Council shall perform its duties under IC 36-4-6-4. If the Common Council rejects the Commission's final recommendations, they shall provide a detailed reason for the rejection and allow the Commission to address their concerns. If the Common Council rejects the Commission's amended recommendation, they shall perform their duties under IC 36 – 4 – 6 -4.

(h) Compensation

- (1) Voting commission members shall receive a \$100 stipend for each monthly meeting attended from March until district boundaries are adopted by the Common Council deadline of December 31.

SECTION 2. Severability Clause

If any provision of this ordinance shall be held invalid, such provision shall be deemed severable and the invalidity thereof shall not affect the remaining provisions of this ordinance.

SECTION 3. Effective Date

This ordinance shall be in full force and effect from and after its passage, approval and adoption according to the laws of the State of Indiana.

PASSED by the Common Council of the City of Valparaiso, Indiana, by a ____ - ____ vote of all members present and voting on this ____ day of _____, 2025.

Jon Costas, Mayor

Attest:

Holly Taylor, Clerk-Treasurer

Presented to me by the Mayor of Valparaiso, Indiana, this ____ day of _____, 2025 at the hour of ____ o'clock p.m.

Holly Taylor, Clerk-Treasurer

This Ordinance was approved and signed by me this ____ day of _____, 2025 at the hour of ____ o'clock p.m.

Jon Costas, Mayor

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