

## RESOLUTION NO. 701

### RESOLUTION OF THE CITY OF TERRELL, TEXAS, ADOPTING CRITERIA FOR USE IN THE 2011 REDISTRICTING PROCESS, AND PROVIDING FOR RELATED MATTERS

**WHEREAS**, this City Council has certain responsibilities for redistricting under federal and state law including, but not limited to, Amendments 14 and 15 of the United States Constitution U.S.C.A., the Voting Rights Act, 42 U.S.C.A. § 1973, *et seq.*, and Tex. Gov't Code Ann §§ 2058.001 and 2058.002 (Vernon Pamphlet, 2000);

**WHEREAS**, upon review of the 2010 census data, it appears that a population imbalance exists requiring the redistricting of the City Councilmember Districts;

**WHEREAS**, it is the intent of the City to comply with the Voting Rights Act and with all other relevant law, including *Shaw v. Reno* jurisprudence;

**WHEREAS**, a set of established redistricting criteria will serve as a framework to guide the City in the consideration of districting plans;

**WHEREAS**, redistricting criteria will assist the City in its efforts to comply with all applicable federal and state laws;

### **NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS THAT:**

**Section 1.** The City Council in its adoption of a redistricting plan for the City's Councilmember Districts, along with City staff and consultants will adhere to the following criteria:

- a. Where possible, easily identifiable geographic boundaries should be followed.
- b. Communities of interest should be maintained in a single district, where possible and attempts should be made to avoid splitting districts.
- c. To the extent possible, districts should be composed of whole voting precincts. Where this is not possible or practicable, districts should be drawn in a way that permits the creation of practical voting precincts and that ensures that adequate facilities for polling places exists in each voting precinct.
- d. Although it is recognized that existing districts will have to be altered to reflect new population distribution, any districting plan should, to the extent possible, be based on existing district.
- e. Districts must be configured so that they are relatively equal in total population according to the 2010 federal census. In no event should the total deviation between the largest and the smallest district exceed ten percent

(10%). The City will attempt to achieve a deviation that is less than ten percent under the data released by the Census Bureau.

- f. The districts will be composed of contiguous territory and should be compact. Compactness may contain a function, as well as geographic dimension.
- g. Consideration may be given to the preservation of incumbent-constituency relations by recognition of the residence of incumbents and their history in representing certain areas.
- h. The plan will avoid retrogression in the position of racial minorities and language minorities as defined in the Voting Rights Act with respect to their effective exercise of the electoral franchise.
- i. The plan should not fragment an geographically compact minority or community or pack minority voters in the presence of polarized voting so as to create liability under Section 2 of the Voting Rights Act, 42 U.S.C. § 1973.

**Section 2.** It is hereby officially found and determined that the meeting at which this resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

**PASSED AND APPROVED** this 16<sup>th</sup> day of August, 2011.

**CITY OF TERRELL, TEXAS**

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Hal Richards, Mayor

**ATTEST:**

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John Rounsavall, City Secretary

**APPROVED AS TO FORM:**

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Mary Gayle Ramsey, City Attorney