

Resolution No. 151-2021

Resolution initiating the process of Redistricting City Council Districts, establishing Criteria for Redistricting, and appointing an Advisory Committee to provide advice and input to the Redistricting process

WHEREAS, the Wichita Falls City Council has previously retained the firm of Allison, Bass & Magee, LLP, of Austin, Texas, to conduct an Initial Assessment of existing political boundaries of the City of Wichita Falls, following the issuance of census data by the United States Census Bureau;

WHEREAS, the Initial Assessment was based upon PL94-171 data, as required by federal law, and is further based upon information provided to Allison, Bass & Associates, LLP by the Texas Legislative Council, other official sources of information, and by the City of Wichita Falls, Texas;

WHEREAS, based upon this information, the City of Wichita Falls has a total maximum deviation of 13.23%;

WHEREAS, the "total maximum deviation" is determined by dividing the total population of the City of Wichita Falls by five, the number of city districts to determine an ideal district size. The actual population of each district was then determined, based upon the official population data contained within the census count, as defined by Public Law 94-171;

WHEREAS, the actual population of each district was compared to the ideal district size and a range of deviation by percentage was determined;

WHEREAS, a total maximum deviation in excess of 10% is presumptively unconstitutional under established federal law; therefore, the City of Wichita Falls, Texas, has a constitutional duty to redistrict its political boundaries to achieve "One-Person-One-Vote" numerical balance between the Council districts at a legally acceptable margin of deviation, and to make such changes as are necessary to comply with the Voting Rights Act and applicable state and federal law; and

WHEREAS, the City Council finds the public interest will be served by redrawing the existing political boundaries of the City of Wichita Falls in such a manner as to comply with applicable state and federal law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

1. The City will undertake such necessary and appropriate action to accomplish redistricting of existing city districts.

2. The City Council will convene in open meetings, duly posted in accordance with the Texas Open Meetings Act, to take up and consider one or more alternative plans for the legal redistricting of the City of Wichita Falls.

3. After due consideration of one or more alternative plans, the City of Wichita Falls will adopt a plan deemed to satisfy legal requirements, and which best suits the legitimate governmental needs of the City of Wichita Falls.

4. The plan should, to the maximum extent possible, conform to the following criteria:

- a. The plan should ensure that all applicable provisions of the U.S. and Texas Constitutions, the Voting Rights Act, and the Texas Election Code are honored.
- b. The plan should be drawn in such a manner that the maximum deviation from an ideal size, as determined by dividing the total population of the city by the number of single member districts that compose the City Council of the City of Wichita Falls be not more than plus or minus five (5%) percent for any individual single member district, or a total top to bottom deviation (percentage of deviation below and above the ideal size) between the most populated district and the least populated district by not more than a maximum deviation of no more than ten (10%) percent.
- c. The plan should address minority representation, and if at all possible, in conformity with constitutional standards, avoid retrogression in the percentage of population and voting age demographics consistent with existing minority representation.
- d. The plan should, avoid fragmentation and preserve minority communities of interest to the maximum extent possible. These communities of interest should be recognized and retained intact where possible. Only when the overall minority population of the county is sufficiently large to require more than one minority district should minority populations be divided, and only then to the least degree possible.
- e. The plan should not, however, attempt to unreasonably join geographically remote minority populations into a single precinct unless there are strong and genuine connections between these communities as reflected by common schools, churches, or cultural ties. For example, minority populations in two separate neighborhoods, located miles apart, may not have sufficient links or common political cohesion to justify joining these two minority population centers into a single electoral group. Particularly, when dealing with distinct minority groups, such as Black and Hispanic populations, a general assumption that separate minority populations will vote in a "block" may be unsupportable in fact.

- f. The plan should seek compact and contiguous political boundaries. Physical boundaries of cultural or economic significance, such as rivers, multi-lane control access highways or turnpikes, which tend to divide populations in fundamental ways, should be recognized and where possible, should only serve as necessary to achieve recognized objectives. Communities of interest should be retained intact where possible. To the maximum extent possible, clearly recognized boundaries, such as streets and highways, should be used to facilitate ease of voter identification of boundaries, as well as election administration.
- g. Where possible, well-recognized and long used election precinct boundaries should be retained intact (within the limitations imposed by state and federal law) or with as little alteration as possible.
- h. Election precincts in the plan should be sized in conformity with state law. For example, in counties that use traditional, hand counted paper ballots, no election precinct may contain more than 2000 voters. In jurisdictions with voting systems that allow for automated ballot counting, this number may be increased to as many as 5000 registered voters.
- i. The plan should afford incumbent office holders with the assurance that they will continue to represent the majority of individuals who elected these incumbents, and all incumbents' residential locations should be retained in their reformed precincts to ensure continuity in leadership during the remaining term of incumbents to the extent possible.
- j. The plan should address fundamental and necessary governmental functions, and to the extent possible, ensure that these functions are enhanced rather than impaired. Election administration should not be unduly complex as a result of election boundaries.
- k. The plan should attempt to locate polling places in convenient, well-known locations that are accessible to disabled voters to the maximum extent possible. Public buildings should be utilized to the maximum extent possible as polling places. Where necessary, buildings routinely open to the public, such as churches, retail businesses, or private buildings dedicated to public activities, can be used as polling places.
- l. If the reduction of polling places can be accomplished, without impinging upon voter convenience and minority voting rights, such reductions can be considered.
- m. Citizen input should be encouraged, but in order to minimize cost and to have sufficient information to evaluate such proposals fairly, the City will only consider proposed plans submitted to the City for evaluation by individual

citizens or groups if the proposed plan is submitted to the City in a commonly used GIS format, such as .SHP, .MAP, .KLM, .GPX, .MDB, along with maps and demographic data sufficient to address voting rights concerns.

5. The following people are appointed to the Advisory Committee for Redistricting: Stephen Santellana, Mayor, Bobby Whiteley, Councilor At-Large, Paul Menzies, Assistant City Manager, and Marie Balthrop, City Clerk.

PASSED AND APPROVED this the 7th day of December 2021

Steph L. Santellana
M A Y O R

ATTEST:

Marie Balthrop
City Clerk