

ORDINANCE NO. 0-2011-44

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYER, TEXAS, APPROVING REDISTRICTING OF THE SIX SINGLE MEMBER CITY COUNCIL DISTRICTS AND ESTABLISHING NEW SINGLE-MEMBER DISTRICT BOUNDARY LINES FOR TYLER CITY COUNCIL ELECTIONS BASED ON 2010 CENSUS DATA; DIRECTING THE CITY'S CONSULTANT TO SUBMIT THE FINAL PLAN TO THE UNITED STATES DEPARTMENT OF JUSTICE; AND AMENDING CHAPTER 1, "GENERAL PROVISIONS", ARTICLE II ELECTIONS, OF THE CODE OF ORDINANCES RELATING TO SINGLE-MEMBER DISTRICTS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the results of the 2010 Federal Census have been received and indicate that the City's single member council districts are sufficiently out of population balance to require redistricting in order to comply with the "one-person, one-vote" principle established by the U.S. Constitution; and

WHEREAS, the City of Tyler contracted with the law firm of Bickerstaff, Heath, Delgado, and Acosta to act as the City's consultant to prepare a proposed redistricting plan for the City; and

WHEREAS, the law firm of Bickerstaff, Heath, Delgado, and Acosta was also hired by Smith County and Tyler Independent School District, in an effort to increase coordination and cooperation amongst the voting entities during the redistricting process; and

WHEREAS, on April 6, 2011, the City Council adopted redistricting criteria developed to assist the City to comply with all applicable federal and state laws, and said redistricting criteria was used to develop the City's illustrative redistricting plan; and

WHEREAS, the Tyler City Council has considered the proposed redistricting plan at City Council meetings and public hearings on May 25, 2011, and June 8, 2011; and

WHEREAS, during the entire redistricting process the City provided notice to the public of its proposed discussions and development of an illustrative plan through posted agendas, notice on its website, publishing newspaper notices as well as individual notice; and

WHEREAS, the City Council finds that the attached single-member council district plan is considered to be in the best interests of the citizens of Tyler, complies with the criteria and guidelines adopted by the City, and is expected to meet all U. S. Department of Justice requirements for single-member district plans; and

WHEREAS, the Tyler City Code must be amended to reflect these new boundaries;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1: That the single-member district boundary lines for the City of Tyler are hereby amended and designated as the official final plan regarding redistricting of the six (6) city council single-member districts as shown on the map labeled as Exhibit "A" and as further described in the tables showing population numbers and demographic statistics labeled as Exhibit "B" to this ordinance and kept on file in the City Clerk's Office. Further, that the City's consultant is hereby

authorized and directed to submit the plan labeled as Exhibit "A" to the United States Department of Justice for preclearance under the Federal Voting Rights Act.

PART 2: That Chapter 1, "General Provisions", Article II, "Elections", of the Code of Ordinances, be amended to read as follows:

ARTICLE II. ELECTIONS

Sec. 1-10. Division of City into precincts; voting therein.

The City is divided into precincts for the purpose of providing voting districts and voting places for use by qualified City voters in all City elections hereafter to be held relating to municipal affairs. Voters shall vote in the precinct in which they reside and elections shall be conducted in accordance with the provisions of the Charter and Texas laws and all persons qualified to vote in the City under State laws regulating general elections shall be allowed to vote. A map showing the boundary lines of the City voting precincts and polling places in those precincts shall be adopted by the City Council periodically and kept on file in the City Clerk's office. (Ord. No. O-98-45, 5/27/98) (Ord. No. 0-2001-52, 11/7/01) (Ord. No. 0-2011-44, 06/08/11)

Sec. 1-11. Single member districts.

a. The six (6) single member districts have boundaries that are described in the ordinance adopted June 8, 2011, in Ordinance No. 0-2011-44 .

b. Annexations of new land into the City shall be added to the single member district contiguous to them by the extension of the boundaries described above. A current map showing these six (6) single member districts with all annexations and/or other changes shall be kept on file in the City Clerk's office. (Ord. No. O-98-45, 5/27/98) (Ord. No. 0-2001-52, 11/7/01) (Ord. No. 0-2011-44, 06/08/11)

Secs. 1-12 - 1-19 Reserved.

PART 3: That this ordinance shall take effect immediately upon preclearance by the United States Department of Justice, and that all further Tyler City Council elections shall be held in accordance with the single-member district map adopted by City Council and precleared by the Department of Justice.

PASSED AND APPROVED by the City Council of the City of Tyler, Texas this 8th day of June, A. D. 2011.

Barbara B. Bass
BARBARA BASS, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:

Cassandra Brager
CASSANDRA BRAGER, CITY CLERK

APPROVED:

Gary C. Landers
GARY C. LANDERS, CITY ATTORNEY



EXHIBIT "A" TO ORDINANCE NO. 0-2011-44

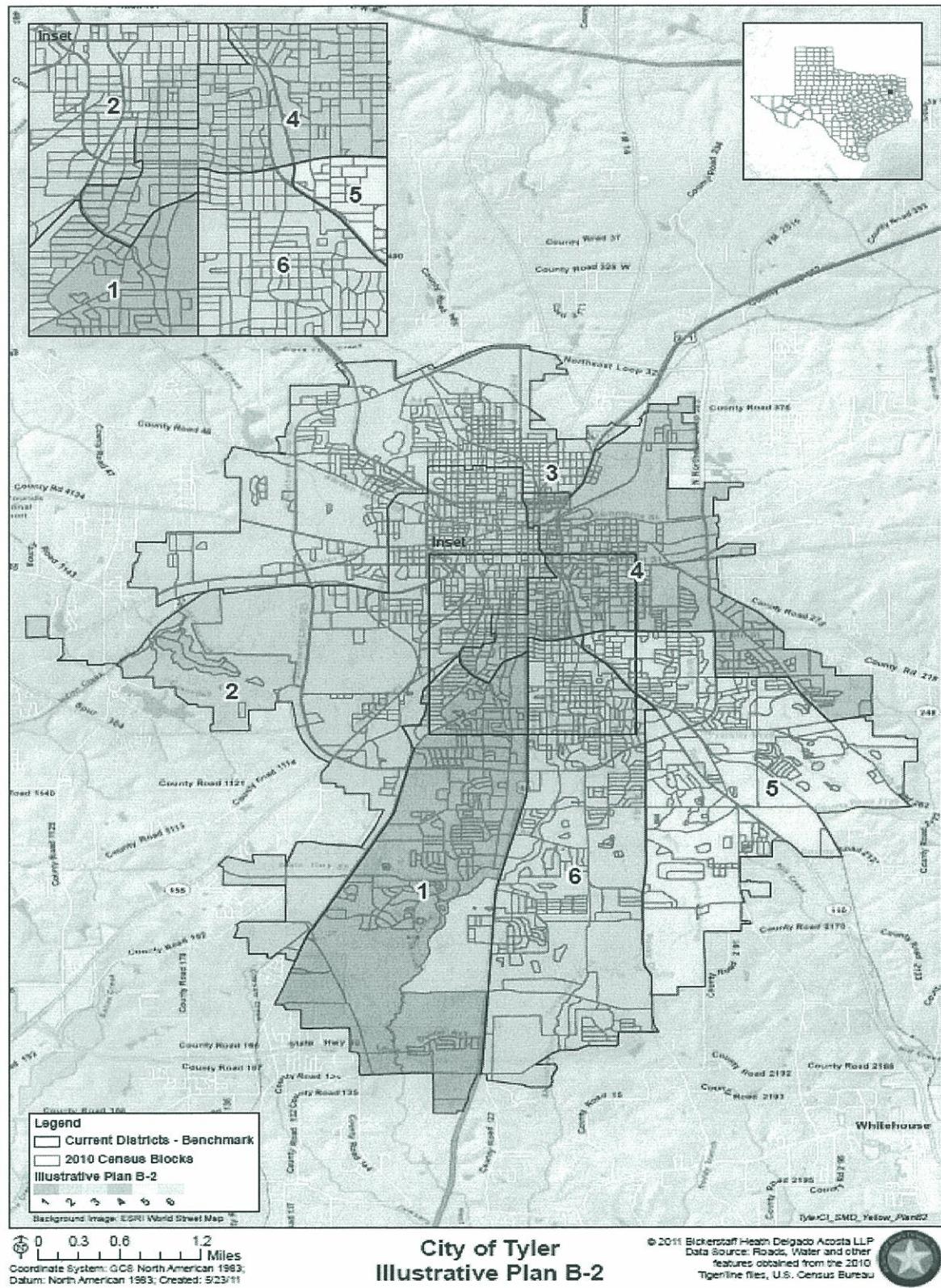


EXHIBIT "B" TO ORDINANCE NO. 0-2011-44
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City of Tyler

Illustrative Plan

Summary 2010 Census Total and Voting Age Population

District	Persons	Deviation	Hispanic % of Total Population	Non-Hispanic Anglo % of Total Population	Non-Hispanic Black % of Total Population	Non-Hispanic Asian % of Total Population	Non-Hispanic Other % of Total Population
1	15,637	-3.18%	6.34%	78.79%	9.46%	3.29%	2.12%
2	15,758	-2.43%	33.98%	19.88%	44.13%	0.57%	1.43%
3	15,580	-3.53%	37.77%	9.32%	51.77%	0.14%	1.00%
4	16,694	3.37%	33.87%	45.72%	18.44%	0.61%	1.35%
5	17,013	5.34%	9.77%	67.63%	17.14%	3.50%	1.96%
6	16,218	0.42%	5.95%	81.43%	7.70%	2.98%	1.94%
Totals	96,900		21.17%	50.83%	24.50%	1.86%	1.64%

Ideal Size = 96,900 / 6 = 16,150 per district.

Total Maximum Deviation = 5.34% - (-3.53%) = 8.87%

Some percentages may be subject to rounding error.

District	Total VAP*		Hispanic % of Total VAP	Non-Hispanic Anglo % of Total VAP	Non-Hispanic Black % of Total VAP	Non-Hispanic Asian % of Total VAP	Non-Hispanic Other % of Total VAP
1	12,720		5.46%	81.08%	8.88%	2.96%	1.60%
2	11,257		28.11%	24.56%	45.65%	0.68%	1.00%
3	10,776		32.41%	11.85%	54.80%	0.14%	0.81%
4	12,486		27.61%	52.30%	18.35%	0.67%	1.07%
5	13,344		8.14%	71.47%	15.74%	3.21%	1.44%
6	12,735		4.72%	84.48%	6.97%	2.47%	1.37%
Totals	73,318		17.03%	56.17%	23.81%	1.76%	1.23%

*Voting Age Population

Some percentages may be subject to rounding error.

EXHIBIT "B" TO ORDINANCE NO. 0-2011-44
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City of Tyler

Illustrative Plan 1

Detailed 2010 Census Total and Voting Age Population

District	Persons	Ideal Size	Deviation	Hispanic	% of Total Hispanic Population	Anglo	% of Total Anglo Population	Black	% of Total Black Population	American Indian	% of Total American Indian Population	Asian	% of Total Asian Population	Hawaiian-Pacific Islander	% of Total Hawaiian-Pacific Islander Population	Other	% of Total Other Population	Two or More	% of Total Two or More Population
1	15,637	16,150	-3.18%	991	6.34%	12,321	78.79%	1,479	9.46%	71	0.45%	514	3.29%	5	0.03%	24	0.15%	232	1.48%
2	15,758	16,150	-2.43%	5,355	33.98%	3,133	19.88%	6,954	44.13%	35	0.22%	90	0.57%	1	0.01%	36	0.23%	154	0.98%
3	15,580	16,150	-3.53%	5,884	37.77%	1,452	9.32%	8,066	51.77%	20	0.13%	22	0.14%	0	0.00%	10	0.06%	126	0.81%
4	16,694	16,150	3.37%	5,654	33.87%	7,633	45.72%	3,079	18.44%	42	0.25%	102	0.61%	5	0.03%	16	0.10%	163	0.98%
5	17,013	16,150	5.34%	1,662	9.77%	11,506	67.63%	2,916	17.14%	65	0.38%	595	3.50%	4	0.02%	22	0.13%	243	1.43%
6	16,218	16,150	0.42%	965	5.95%	13,207	81.43%	1,248	7.70%	51	0.31%	484	2.98%	3	0.02%	17	0.10%	243	1.50%
Totals	96,900			20,511	21.17%	49,252	50.83%	23,742	24.50%	284	0.29%	1,807	1.86%	18	0.02%	125	0.13%	1,161	1.20%

Ideal Size = 96,900 / 6 = 16,150 per district.

Some percentages may be subject to rounding error.

District	Total VAP*			Hispanic VAP	% of Total Hispanic VAP	Anglo VAP	% of Total Anglo VAP	Black VAP	% of Total Black VAP	American Indian VAP	% of Total American Indian VAP	Asian VAP	% of Total Asian VAP	Hawaiian-Pacific Islander VAP	% of Total Hawaiian-Pacific Islander VAP	Other VAP	% of Total Other VAP	Two or More VAP	% of Total Two or More VAP
1	12,720			695	5.46%	10,314	81.08%	1,130	8.88%	53	0.42%	377	2.96%	4	0.03%	13	0.10%	134	1.05%
2	11,257			3,164	28.11%	2,765	24.56%	5,139	45.65%	22	0.20%	76	0.68%	0	0.00%	23	0.20%	68	0.60%
3	10,776			3,492	32.41%	1,277	11.85%	5,905	54.80%	16	0.15%	15	0.14%	0	0.00%	5	0.05%	66	0.61%
4	12,486			3,448	27.61%	6,530	52.30%	2,291	18.35%	36	0.29%	84	0.67%	5	0.04%	7	0.06%	85	0.68%
5	13,344			1,066	8.14%	9,537	71.47%	2,101	15.74%	56	0.42%	428	3.21%	4	0.03%	9	0.07%	123	0.92%
6	12,735			601	4.72%	10,758	84.48%	888	6.97%	42	0.33%	314	2.47%	3	0.02%	9	0.07%	120	0.94%
Totals	73,318			12,486	17.03%	41,181	56.17%	17,454	23.81%	225	0.31%	1,294	1.76%	16	0.02%	66	0.09%	596	0.81%

*Voting Age Population

Some percentages may be subject to rounding error.