

## **RESOLUTION NO. R-2011-13**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS ADOPTING CRITERIA FOR USE IN THE REDISTRICTING 2011 PROCESS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council have certain responsibilities for redistricting under federal and state law, including but not limited to, Amendments 14 and 15 to the United States Constitution, U.S.C.A. (West 2006) and the Voting Rights Act, 42 U.S.C.A. § 1973 c (West 2010); and Tex. Gov't Code Ann. §§ 2058.001 and 2058.002 (Vernon 2008); and

**WHEREAS**, the City Council have certain responsibilities for redistricting under the City Charter; and

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

**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; and

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

**WHEREAS**, established criteria will provide the City a means by which to evaluate and measure proposed plans; and

**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 TYLER, SMITH COUNTY, TEXAS:**

**PART 1.** That the City of Tyler, Texas, in its adoption of a redistricting plan for City Councilmember Districts, will adhere to the following criteria:

1. Where possible, easily identifiable geographic boundaries should be followed.
2. Communities of interest should be maintained in a single district, where possible, and attempts should be made to avoid splitting neighborhoods.
3. To the extent possible, districts should be composed of whole voting precincts, and attempts should be made to facilitate coordination between and ease of voting amongst the various entities required to hold elections within the area, like Smith County and Tyler Independent School District. 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 exist in each voting precinct.
4. 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 districts.

5. 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.

6. The districts should be compact and composed of contiguous territory. Compactness may contain a functional, as well as a geographical dimension.

7. 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.

8. The plan should be narrowly tailored to 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.

9. The plan should not fragment a geographically compact minority 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.


**PART 2.** The governmental body will review all plans in light of these criteria and will evaluate how well each plan conforms to the criteria.

**PART 3.** Any plan submitted to the governmental body by a citizen for its consideration should be a complete plan—i.e., it should show the full number of council member districts and should redistrict the entire District. The governmental body may decline to consider any plan that is not a complete plan.

**PART 4.** All plans submitted by citizens, as well as plans submitted by staff, consultants, and members of the governmental body should conform to these criteria.

**PART 5.** That this Resolution shall be effective immediately upon adoption.

**PASSED AND APPROVED** by the City Council of the City of Tyler, Texas this 6th day of April, A. D. 2011.

  
BARBARA BASS, MAYOR OF  
THE CITY OF TYLER, TEXAS

ATTEST:

  
CASSANDRA BRAGER, CITY CLERK



APPROVED:

  
GARY C. LANDERS, CITY ATTORNEY