

RESOLUTION NO. R-2021-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS ADOPTING CRITERIA FOR USE IN THE REDISTRICTING 2021 PROCESS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, this City Council has 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.; section 2 of the Voting Rights Act, 52 U.S.C.A. §10301; and Tex. Gov't Code Ann. §§ 2058.001 and 2058.002; and

WHEREAS, a review of the 2020 census data reveals that a population imbalance exists among the City's councilmember districts requiring redistricting of those 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 formulation and consideration of districting plans; and

WHEREAS, redistricting criteria will provide the City a means by which to evaluate 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 councilmember districts, will adhere to the following criteria to the greatest extent possible when establishing new councilmember district boundaries:

To the extent practicable:

1. Easily identifiable geographic boundaries should be followed.
2. Communities of interest should be maintained in a single district, and attempts should be made to avoid splitting neighborhoods.
3. Councilmember districts should be composed of whole voting precincts. Where this is not possible or practicable, districts should be drawn considering county election precincts. Avoid splitting census blocks unless necessary.
4. Although it is recognized that existing districts will have to be altered to reflect new population distribution in the City, any districting plan should be based on existing districts.
5. Districts must be configured so that they are relatively equal in total population according to the 2020 federal census. In no event should the total population deviation between the largest and the smallest district exceed ten percent as compared to the ideal precinct size.

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 racial gerrymandering in violation of *Shaw v. Reno*.
9. The plan should not fragment a geographically compact minority community or pack minority voters in the presence of polarized voting or otherwise discriminate against protected groups so as to create liability under the Voting Rights Act.

PART 2. The City Council will review all plans considering these criteria and will evaluate how well each plan conforms to the criteria.

PART 3. Any plan submitted to the City Council by a citizen for its consideration should be a complete plan—*i.e.*, it should show all six councilmember districts and should redistrict the entire City. The City Council 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 City Council should conform to these criteria.

PART 5. This resolution shall be effective upon passage by the City Council.

PASSED AND APPROVED by the City Council of the City of Tyler, Texas this 13th day of October 2021.

DONALD P. WARREN, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:

CASSANDRA BRAGER, CITY CLERK

DEBORAH G. PULLUM,
CITY ATTORNEY