



RESOLUTION NO. 2021-166

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ADOPTING CRITERIA FOR USE IN 2022 REDISTRICTING PROCESS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, this City Council of the City of Farmers Branch, Texas, (the “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; Section 7.10 of the City Charter; 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 Section 7.10 of the City Charter; 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; and

WHEREAS, Section 7.10 of the City Charter requires the Council to appoint a redistricting commission (the “Commission”) to review the 2020 census data as it relates to council district boundaries and to advise the Council on how to fix the boundaries of the various council districts in order to maintain substantial equality of population within each council district; and

WHEREAS, the City Council of the City of Farmers Branch, Texas, finds it to be in the public interest to establish criteria to be followed by the Commission and the City Council in reviewing the exiting council district boundaries and revising those boundaries to conform with applicable federal and state law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS THAT:

SECTION 1. The following criteria are hereby adopted and shall, to the greatest extent possible, be followed by the Commission in reviewing and recommending the revisions to council district boundaries and by the City Council in the adoption of such revised boundaries:

- A. 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; provided, however, when the foregoing is not possible or practicable, districts should be drawn considering county election precincts;
 - (4) Avoid splitting census blocks unless necessary;
 - (5) While recognizing existing district boundaries will need to be altered to reflect new population distribution in the City, any districting plan should be based on existing districts;
 - (6) Districts must be configured so 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 (10%) as compared to the ideal precinct size;
 - (7) The districts should be compact and composed of contiguous territory. Compactness may contain a functional, as well as a geographical, dimension;
 - (8) 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;
 - (9) The plan should be narrowly tailored to avoid racial gerrymandering in violation of *Shaw v. Reno*;
 - (10) 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;
 - (11) Any plan shall comply with the criteria set forth in Section 7.10(c) of the City Charter. To the extent of any irreconcilable conflict between the criteria set forth in this resolution and Section 7.10(c) of the City Charter, the provisions of the City Charter shall prevail.
- B.** The Commission and the City Council will review all plans considering these criteria and will evaluate how well each plan conforms to the criteria.
- C.** Any plan submitted to the City Council by a citizen or other third party for its consideration should be a complete plan—*i.e.*, it should include all 5 councilmember

districts and should redistrict the entire City. The Commission and the City Council may decline to consider any plan that is not a complete plan.

- D. All plans submitted by citizens, as well as plans submitted by staff, consultants, and members of the City Council should conform to these criteria.

SECTION 2. This resolution shall be effective immediately upon approval.

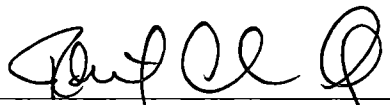
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THIS 16TH DAY OF NOVEMBER 2021.

ATTEST:




Amy Piukang, City Secretary

APPROVED:



Robert C. Dye, Mayor

APPROVED AS TO FORM:



Peter G. Smith, City Attorney
(kbl:11/4/2021:125840)