

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: October 26, 2021

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Karina Brasgalla, (915) 212-1604

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: #6 Set the Standard for Sound Governance and Fiscal Management

SUBJECT:

A Resolution that the City, as part of its instruction to the Districting Commission and in its adoption of a redistricting plan, will observe certain redistricting criteria in the adjustment of representative district boundaries.

BACKGROUND / DISCUSSION:

Realignment of representative district boundaries of the City of El Paso is required after the completion of the U.S. Decennial Census. The 2020 Census counts were completed on September 1, 2021. City Council approved a Resolution to convene the Districting Commission on April 27, 2021.

PRIOR COUNCIL ACTION:

Council previously passed a Resolution outlining the districting criteria in 2011, in advance of the Districting Commission meetings.

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES NO

PRIMARY DEPARTMENT: Planning & Inspections, Planning Division

SECONDARY DEPARTMENT: N/A

*******REQUIRED AUTHORIZATION*******

DEPARTMENT HEAD:

Philip Etiwe

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

WHEREAS, under Public Law 94-171, after the completion of the 2020 U.S. Census, realignment of representative district boundaries of the City of El Paso is required when the difference in population between the largest and smallest district exceeds ten percent; and

WHEREAS, upon review of the 2020 census data for the City of El Paso it appears that a population imbalance exists requiring adjustment of the representative district boundaries; 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, pursuant to Article II, Section 2.4(B) of the City Charter the City Council has established the Districting Commission (the "Commission"), which will make recommendations to the Council concerning adjustments of the boundaries of representative districts as necessary to insure substantial equality of the populations of the districts; and

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

WHEREAS, redistricting criteria will also assist the City and its Commission in efforts to comply with all applicable federal and state laws.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF EL PASO:

That the City, as part of its instruction to the Commission and in its adoption of a redistricting plan, will observe the following redistricting criteria in the adjustment of representative district boundaries:

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.
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 to total population

according to the 2020 Federal Census. In no event should the total deviation between the largest and the smallest district exceed ten percent. The City will attempt to achieve a deviation that is less than ten percent under the data released by the Census Bureau.

6. The districts should be compact and composed of contiguous territory. Compactness may contain a functional, as well as 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 not fragment a geographically compact minority community or pack minority voters so as to comply with Section 2 of the Voting Rights Act, 42. U.S.C. Section 1973, and not prejudice minority voters.

PASSED AND APPROVED this ____ day of _____ 2021

THE CITY OF EL PASO

Oscar Leeser, Mayor

ATTEST:

Laura D. Prine, City Clerk

APPROVED AS TO FORM:

Russell Abeln

Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:

Philip Etiwe

Philip F. Etiwe, Director
Planning & Inspections Department

RESOLUCIÓN

POR CUANTO, conforme a la Ley Publica 94-171, ya realizado el censo 2020 de EE.UU., se exige el reajuste de los límites de los distritos concejales de la Ciudad de El Paso cuando la diferencia de población entre el distrito mayor y el menor excede el diez por ciento; y

POR CUANTO, previo estudio de los datos del censo 2020 correspondientes a la Ciudad de El Paso, al parecer existe una desigualdad poblacional que requiere el ajuste de los límites de los distritos concejales; y

POR CUANTO, es intención de la Ciudad cumplir con la Ley de Derechos Electorales y demás leyes relevantes, jurisprudencia *Shaw v. Reno* inclusive; y

POR CUANTO, en términos del Articulo II, Fracción 2.4(B) de la Carta Constitutiva de la Ciudad, el Concejo de Regidores tiene constituida la Comision de Distritico (la "Comisión"), misma que ofrecerá recomendaciones al Concejo en el ajuste de los límites de los distritos concejales en su caso a fin de procurar la igualdad substancial de la población de los distritos; y

POR CUANTO, un conjunto de criterios de redistrictación servirá de marco que guiará al Concejo y su Comisión en la consideración de planes de distritación; y

POR CUANTO, los criterios de redistrictación también apoyaran a la Ciudad y su Comisión en su labor de cumplir con toda ley federal y estatal aplicable.

POR LO EXPUESTO, RESUELVE EL CABILDO DE LA CIUDAD DE EL PASO:

Que la Ciudad, como parte de su instrucción a la Comisión y en su adopción de un plan de redistrictación, observara los criterios de redistrictación a continuación en el ajuste de los límites de los distritos concejales:

1. Donde sea posible, deben respetarse límites geográficos de fácil identificación.
2. Las comunidades de intereses deben permanecer en un solo distrito donde sea posible, y se debe hacer esfuerzos a fin de evitar la división de barrios.
3. En la medida posible, los distritos deben conformarse de distritos electorales íntegros.
4. Aunque se reconoce que los distritos existentes tendrán que quedar alterados a fin de reflejar la nueva distribución de la población, todo plan de distritación debe basarse en distritos existentes en la medida posible.
5. Los distritos deberán quedar configurados de tal manera de quedar relativamente iguales a la población total según el censo federal 2020. En ningún caso deberá exceder un diez por ciento la diferencia total entre el distrito mayor y el menor. La Ciudad tratará de lograr una diferencia menor que un diez por ciento de acuerdo con los datos emitidos por el Buró del Censo.

6. Los distritos deben ser compactos y compuestos de territorio contiguo. Lo compacto podrá contener una dimensión funcional, así como geográfica.
7. Se podrá tomar en cuenta la conservación de la relación entre funcionarios electos y electores reconociendo el domicilio del funcionario y su historial en la representación de determinada zona.
8. El plan no debe fragmentar una comunidad minoritaria geográficamente compacta ni concentrar a electores minoritarios, con el fin de cumplir con la Fracción 2 la Ley de Derechos Electorales, 42. U.S.C. Fracción 1973, sin prejuicio hacia electores minoritarios.

APROBA CON VOTO FAVORABLE el día ____ de _____ de 2021

THE CITY OF EL PASO:

Oscar Leeser, Mayor

ATTEST:

Laura D. Prine, City Clerk

APPROVED AS TO FORM:

Russell Abeln

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Assistant City Attorney

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Philip F. Etiwe, Director
Planning & Inspections Department
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