

**ORDINANCE NO. 0-2011-44**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, 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.

  
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BARBARA BASS, MAYOR OF  
THE CITY OF TYLER, TEXAS

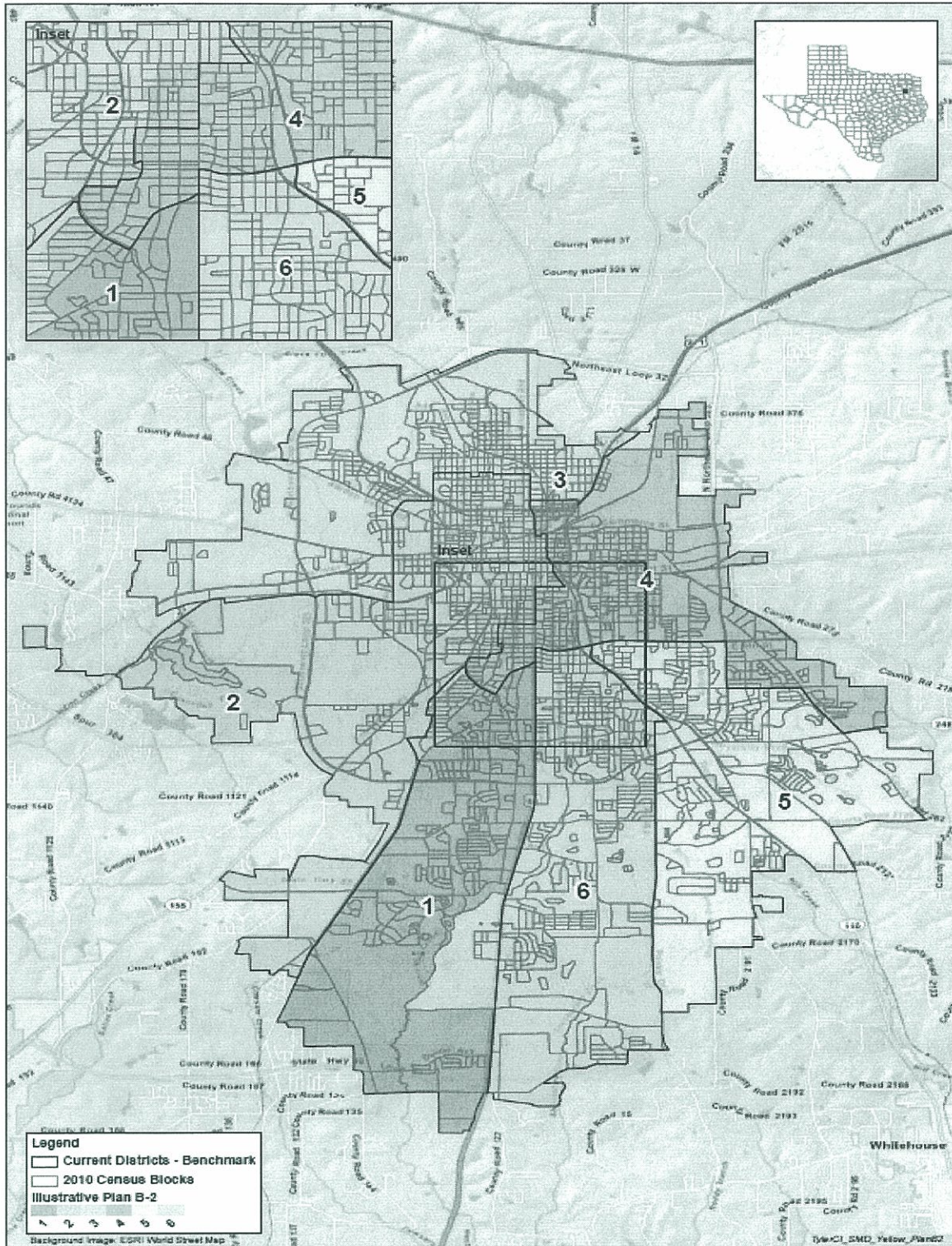
ATTEST:

  
\_\_\_\_\_  
CASSANDRA BRAGER, CITY CLERK



APPROVED:  
  
\_\_\_\_\_  
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 %<br>of Total<br>Population | Non-Hispanic<br>Anglo %<br>of Total<br>Population | Non-Hispanic<br>Black %<br>of Total<br>Population | Non-Hispanic<br>Asian %<br>of Total<br>Population | Non-Hispanic<br>Other %<br>of Total<br>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%   | 2.96%   | 1.94%   |
| <b>Totals</b> | <b>96,900</b> |           | <b>21.17%</b>                        | <b>50.83%</b>                                     | <b>24.50%</b>                                     | <b>1.86%</b>                                      | <b>1.64%</b>                                      |

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 %<br>of Total VAP | Non-Hispanic<br>Anglo %<br>of Total VAP | Non-Hispanic<br>Black %<br>of Total VAP | Non-Hispanic<br>Asian %<br>of Total VAP | Non-Hispanic<br>Other %<br>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%                                   |
| <b>Totals</b> | <b>73,318</b> | <b>17.03%</b>              | <b>56.17%</b>                           | <b>23.81%</b>                           | <b>1.76%</b>                            | <b>1.23%</b>                            |

\*Voting Age Population

Some percentages may be subject to rounding error.