

RESOLUTION NO. 765

**RESOLUTION OF THE CITY OF KYLE, TEXAS, ADOPTING
CRITERIA FOR USE IN THE 2011 REDISTRICTING PROCESS, AND
PROVIDING FOR RELATED MATTERS**

WHEREAS, this City Council has certain responsibilities for redistricting under federal and state law including, but not limited to, Amendments 14 and 15 of the United States Constitution U.S.C.A., the Voting Rights Act, 42 U.S.C.A. § 1973, *et seq.*, and Tex. Gov't Code Ann §§ 2058.001 and 2058.002 (Vernon Pamphlet, 2000);

WHEREAS, upon review of the 2010 census data, it appears that a population imbalance exists requiring the redistricting of the City Councilmember Districts;

WHEREAS, it is the intent of the City to comply with the Voting Rights Act and comply with constitution requirement of equal representation;

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

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF KYLE, TEXAS THAT:**

Section 1. The City Council in its adoption of a redistricting plan for the City's Councilmember Districts, along with City staff and consultants will adhere to the following criteria:

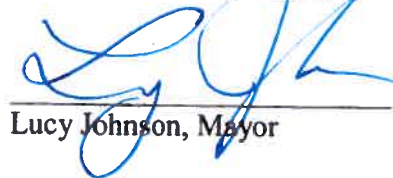
- a. Where possible, easily identifiable geographic boundaries should be followed.
- b. Communities of interest should be maintained in a single district, where possible and attempts should be made to avoid splitting districts.
- c. To the extent possible, districts should be composed of whole voting precincts.
- d. 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 council district.
- e. 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 (10%). The City will attempt to achieve a deviation that is less than ten percent under the data released by the Census Bureau. When developing Districts, City will look to past growth and possible future growth to determine population distribution.

- f. The districts will be composed of contiguous territory and should be compact.
- g. 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.
- h. The plan will 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.
- i. The plan should not fragment an geographically compact minority or 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.
- j. Council should obtain input through public hearings. Council should hold a public hearing before the development of proposed District plans and then hold at least two public hearings once Redistricting plans have been developed.
- k. City Council, as representatives of the voters, will have the final decision on any Redistricting plan approved. A timeline for Redistricting should be developed and complied with in order to ensure that sufficient time exists for any Council District map to obtain Department of Justice approval before the next city election.

Section 2. It is hereby officially found and determined that the meeting at which this resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

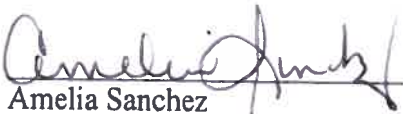
PASSED AND APPROVED this 21st day of June, 2011.

CITY OF KYLE, TEXAS



Lucy Johnson, Mayor

ATTEST:


Amelia Sanchez