

Section 6.02. Council Districts; Adjustments of Districts.

(a) **Number of Districts.** There shall be seven (7) city council districts.

(b) **Districting Commission; Composition; Appointment; Terms; Vacancies; Compensation.**

(1) There shall be a districting commission consisting of nine (9) members. The City Council shall appoint six (6) members. These six (6) members shall, with the affirmative vote of at least four (4), choose three (3) more members. The commission shall select its own chairperson.

(2) No member of the commission shall be employed by the city or hold any other elected or appointed position in the city.

(3) The City Council shall appoint the commission no later than one year and five months before the first general election of the city council after each federal decennial census. The commission's terms shall end upon adoption of a districting plan, as set forth in section [§ 6.02\(c\)](#).

(4) In the event of a vacancy on the Commission by death, resignation or otherwise, the City Council shall appoint a new member to serve the balance of the term remaining.

(5) No member of the districting commission shall be removed from office by the City Council except for cause and upon notice and hearing.

(6) The members of the commission shall serve without compensation except that each member shall be allowed actual and necessary expenses to be audited in the same manner as other city charges.

(7) The commission may hire or contract for necessary staff assistance and may require agencies of city government to provide technical assistance. The commission shall have a budget as provided by the city council.

(c) **Powers and Duties of the Commission; Hearing, Submissions and Approval of Plan.**

(1) Following decennial census, the commission shall consult the city council and shall prepare a plan for dividing the city into districts for the election of councilmembers. In preparing the plan, the commission shall be guided by the criteria set forth in [§ 6.02\(d\)](#). The report on the plan shall include a map and description of districts recommended.

(2) The commission shall hold one or more public hearings not less than one month before it submits the plan to the City Council. The commission shall make its plan available to the public for inspection and comment not less than one month before its public hearing.

(3) The commission shall submit its plan to the City Council not less than one year before the first general election of the city council after each decennial census.

(4) The plan shall be deemed adopted by the City Council unless disapproved within three weeks by the vote of the majority of all members of the city council. If the city council fails to adopt the plan, it shall return the plan to the commission with its objections, and with the objections of individual members of the council.

(5) Upon rejection of its plan, the commission shall prepare a revised plan and shall submit such revised plan to the city council no later than nine (9) months before

the first general election of the city council after such decennial census. Such revised plan shall be deemed adopted by the city council unless disapproved within two weeks by the vote of two-thirds (2/3) of all the members of the city council, or unless by two-thirds (2/3) of all its members the city council votes to file a petition in the District Court, Hale County, Texas, for a determination that the plan fails to meet the requirements of this charter. The city council shall file its petition no later than ten (10) days after its disapproval of the plan. Upon a final determination upon appeal, if any, the plan shall be deemed adopted by the city council and the commission shall deliver the plan to the city secretary. The plan delivered to the city secretary shall include a map and description of the districts.

(6) If in any year population figures are not available at least one year and five months before the first general election following the decennial census, the City Council may by ordinance shorten the time period provided for districting commission action in subsection (2), (3), (4), and (5) of this section.

(d) **Districting Plan; Criteria.** In preparation of its plan for dividing the city into districts for the election of councilmembers, the commission shall apply the following criteria which, to the extent practicable, shall be applied and given priority in the order in which they are herein set forth.

(1) Districts shall be equal in population except where deviation from equality result[s] from the application of the provisions hereinafter set forth, but no such deviation may exceed five percent (5%) of the average population for all city council districts according to the figures available from the most recent census.

(2) No city block shall be divided in the formation of districts.

(e) **Effect of Enactment.** The new city council districts and boundaries as of the date of enactment shall supersede previous council districts and boundaries for all purposes of the next regular city election, including nominations. The new districts and boundaries shall supersede previous districts and boundaries for all other purposes as of the date on which all councilmembers elected at that regular city election take office.