

## **ORDINANCE NO. 22-3724**

### **AN ORDINANCE OF THE CITY OF PLAINVIEW, TEXAS, ADOPTING A REDISTRICTING PLAN REVISING THE SEVEN SINGLE MEMBER COUNCIL DISTRICTS BOUNDARIES IN RESPONSE TO THE 2020 CENSUS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PUBLICATION OF THE CAPTION THEREOF**

**WHEREAS**, the City Council for the City of Plainview, Texas pursuant to the constitution and laws of the State of Texas including, but not limited to, Article 11, Section 5 of the Texas Constitution as a home rule city, has the authority to set forth ordinances and regulations and exercise its police powers for the public health, safety, morals, or general welfare of the citizens of the City of Plainview; and

**WHEREAS**, due to a population deviation in excess of ten percent (10%) as shown in the 2020 Census, the City Council of the City of Plainview, Texas, in accordance with applicable law, including the 14<sup>th</sup> and 15<sup>th</sup> Amendments to the United States Constitution, the Voting Rights Act found in 42 U.S.C.A. §§1973 and 1973a, Texas Government Code §§ 2058.001 and 2058.002 and Article VI of the City Charter of the City of Plainview, was required to redistrict the City's seven (7) single-member council districts so as to achieve "One-Person-One-Vote" numerical balance between the seven City Council wards at a legally acceptable margin of deviation; and

**WHEREAS**, due to the fact that the City of Plainview received the official 2020 Census figures less than one year and five months before the first general election following the 2020 Census, in accordance with Article VI, §6.02(c)(6) of the City Charter, the City Council, by ordinance, adopted a shortened time period for the redistrict commission to adopt and present to the Council its redistricting plan; and

**WHEREAS**, in accordance with Article VI, §6.02(b) and §6.02(d) of the City Charter, City Council appointed a Redistricting Commission consisting of nine (9) members charged with developing a plan to redrawing the seven (7) member council district boundaries for the election of councilmembers with the districts being equal in population with a deviation from equality may not exceed five percent (5%) of the average population for all city council districts and where no district divides a city block; and

**WHEREAS**, in accordance with Article VI, §6.02(b) of the City Charter, the Redistricting Commission held one or more public hearings to receive input from the citizens of Plainview and made the plans for redistricting the council boundaries available to the public for inspection and comment; and

**WHEREAS**, the Redistricting Commission has submitted its plan for redistricting the seven council district boundaries to the City Council meeting the objectives outlined above with a legally acceptable margin of deviation that complies with the Voting Rights Act, applicable state and federal law and the City Charter and recommends its adoption by the City Council; and



**WHEREAS**, the City Council of the City of Plainview, in accordance with Article VI, believes that adopting the plan for redistricting the seven council district boundaries to the City Council as presented by the Redistricting Committee meets the objectives outlined above with a legally acceptable margin of deviation that complies with the Voting Rights Act, applicable state and federal law and the City Charter; and

**NOW, THEREFORE, THE CITY OF PLAINVIEW, TEXAS, HEREBY ORDAINS THAT:**

SECTION 1. The recitals set forth above are hereby found to be true and correct and are incorporated into the body of this Ordinance for all purposes as if fully set forth herein.

SECTION 2. The City Council of the City of Plainview adopts Plan, attached hereto and incorporated herein as though set forth fully herein as *Exhibit A*, which redraws the boundaries of the seven (7) council member districts for the election of councilmembers with the districts being equal in population with a deviation from equality not exceeding five percent (5%) of the average population for all city council districts and where no district divides a city block.

SECTION 3. The City Council finds that the council districts as redrawn by the adoption of Plan are within a legally acceptable margin of deviation in accordance with the 2020 Census that complies with the Voting Rights Act, applicable state and federal law and the City Charter.

SECTION 4. Demographic information including a map and supporting statistical tables showing the total and voting-age population of each council district for Plan is attached hereto and incorporated herein as though set forth fully herein as *Exhibit B*.

SECTION 5. In accordance with Article VI, §6.02(e), the new city council districts and boundaries as of the date of enactment of this Ordinance shall supersede the previous council districts and boundaries for all purposes of the next regular city election, including nominations and the new council 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.

SECTION 6. The City Secretary is hereby directed to send a copy of this Ordinance including the new council district map to the proper officials with Hale County so necessary changes may be made in the County's election precincts, as required by the Texas Election Code.

SECTION 7. Effective Date. This Ordinance shall take effect immediately from and after its final passage and publication as may be required by governing law.

SECTION 8. Severability. Should any paragraph, section, sentence, phrase, clause or word of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected thereby and shall remain in full force and effect.

SECTION 9. Publication. The City Secretary of the City of Plainview is hereby authorized and directed to cause publication of the descriptive caption of this Ordinance as an alternative method provided by law.

Passed and approved on first reading this 11<sup>th</sup> day of January, 2022.

Passed and approved on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Charles Starnes, Mayor

ATTEST:

\_\_\_\_\_  
Belinda Hinojosa, City Secretary

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Jeffrey Snyder, City Manager

APPROVED AS TO FORM:

\_\_\_\_\_  
Matthew L. Wade, City Attorney

City of Plainview  
Plan

[illegible]



# Exhibit "B"

## City of Plainview Plan

1/7/2022

	Actual Pop.	Ideal Pop.	Deviate	Relative Deviation
Ward 1	2862	2884	-22	-0.76%
Ward 2	2886	2884	2	0.07%
Ward 3	2913	2884	29	1.01%
Ward 4	2858	2884	-26	-0.90%
Ward 5	2877	2884	-7	-0.24%
Ward 6	2882	2884	-2	-0.06%
Ward 7	2909	2884	25	0.87%
Total	20187	20187		
Total Maximum Deviation	1.91 %			

Total Maximum Deviation above 10%  
requires redistricting

Maximum Deviation less than than 5% is  
desireable if possible.

### Ethnic/Racial Data-Total

	Anglo	Black	Am. Ind.	Asian	Hispanic	Haw/Pac Is	Other	Multi	Totals	%
Ward 1	374	165	21	8	2212	4	6	72	2862	14.18%
Ward 2	660	100	7	6	2053	8	4	48	2886	14.30%
Ward 3	404	127	1	12	2325	2	8	34	2913	14.43%
Ward 4	1259	125	13	18	1364	9	11	59	2858	14.16%
Ward 5	1424	83	9	33	1251	1	5	71	2877	14.25%
Ward 6	962	156	3	27	1672	0	3	59	2882	14.28%
Ward 7	496	178	17	11	2169	1	3	34	2909	14.41%
Total	5579	934	71	115	13046	25	40	377	20187	100.00%
% of City	27.64%	4.63%	0.35%	0.57%	64.63%	0.12%	0.20%	1.87%	100.00%	

### Ethnic %

Ward 1	13.07%	5.77%	0.73%	0.28%	77.29%	0.14%	0.21%	2.52%	100.00%
Ward 2	22.87%	3.47%	0.24%	0.21%	71.14%	0.28%	0.14%	1.66%	100.00%
Ward 3	13.87%	4.36%	0.03%	0.41%	79.81%	0.07%	0.27%	1.17%	100.00%
Ward 4	44.05%	4.37%	0.45%	0.63%	47.73%	0.31%	0.38%	2.06%	100.00%
Ward 5	49.50%	2.88%	0.31%	1.15%	43.48%	0.03%	0.17%	2.47%	100.00%
Ward 6	33.38%	5.41%	0.10%	0.94%	58.02%	0.00%	0.10%	2.05%	100.00%
Ward 7	17.05%	6.12%	0.58%	0.38%	74.56%	0.03%	0.10%	1.17%	100.00%

### Voting Age Ethnic/Racial Data

	Anglo	Black	Am. Ind.	Asian	Hispanic	Haw/Pac Is	Other	Multi	Totals	%
Ward 1	325	134	15	7	1546	4	2	51	2084	14.24%
Ward 2	589	73	7	6	1339	4	4	39	2061	14.08%
Ward 3	323	92	1	9	1588	2	6	16	2037	13.92%
Ward 4	1064	99	12	14	934	9	10	42	2184	14.92%
Ward 5	1242	57	9	31	828	0	5	48	2220	15.17%
Ward 6	806	123	3	22	1079	0	2	42	2077	14.19%
Ward 7	394	145	17	4	1390	1	3	20	1974	13.49%
Total	4743	723	64	93	8704	20	32	258	14637	100.00%
% of City	32.40%	4.94%	0.44%	0.64%	59.47%	0.14%	0.22%	1.76%	100.00%	

### Voting Age %

Ward 1	15.60%	6.43%	0.72%	0.34%	74.18%	0.19%	0.10%	2.45%	100.00%
Ward 2	28.58%	3.54%	0.34%	0.29%	64.97%	0.19%	0.10%	1.89%	99.90%
Ward 3	15.86%	4.52%	0.05%	0.44%	77.96%	0.10%	0.29%	0.79%	100.00%
Ward 4	48.72%	4.53%	0.55%	0.64%	42.77%	0.41%	0.46%	1.92%	100.00%
Ward 5	55.95%	2.57%	0.41%	1.40%	37.30%	0.00%	0.23%	2.16%	100.00%
Ward 6	38.81%	5.92%	0.14%	1.06%	51.95%	0.00%	0.10%	2.02%	100.00%
Ward 7	19.96%	7.35%	0.86%	0.20%	70.42%	0.05%	0.15%	1.01%	100.00%