

THE STATE OF TEXAS

§

RESOLUTION #062011-01

THE COUNTY OF TRAVIS

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**BARTON SPRINGS/EDWARDS AQUIFER CONSERVATION DISTRICT  
RESOLUTION ADOPTING CRITERIA  
FOR USE IN REDISTRICTING 2011 PROCESS**

WHEREAS, this Board of Directors has certain responsibilities for redistricting under federal and state law including but not limited to Amendments 14 and 15 to the United States Constitution, U.S.C.A. (West 2006) and the Voting Rights Act, 42 U.S.C.A. §§ 1973 and 1973c (West 2010); article 16, section 59 of the Texas Constitution (Vernon 2010); Tex. Water Code Ann. § 36.059 (Vernon 2008); Chapter 8802 of the Texas Special District Local Laws Code Ann. (2010); and Tex. Gov't Code Ann. §§ 2058.001 and 2058.002 (Vernon 2008); and

WHEREAS, on review of the 2010 Census data, it appears that a population imbalance exists requiring redistricting of the District's director precincts; and

WHEREAS, it is the intent of the District to comply with the Voting Rights Act and with all other relevant law, including *Shaw v. Reno* jurisprudence; and

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

WHEREAS, established criteria will provide the District a means by which to evaluate and measure proposed plans; and

WHEREAS, redistricting criteria will assist the District in its efforts to comply with all applicable federal and state laws;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the District, in its adoption of a redistricting plan for director precincts, will adhere to the following criteria to the greatest extent possible when drawing precinct boundaries:

1. Where possible, easily identifiable geographic boundaries should be followed.
2. Communities of interest should be maintained in a single director precinct, where possible, and attempts should be made to avoid splitting neighborhoods.
3. To the extent possible, director precincts should be composed of whole voting precincts. Where this is not possible or practicable, director precincts should be drawn in a way that permits the creation of practical voting precincts and that ensures that adequate facilities for polling places exist in each voting precinct.

4. Although it is recognized that existing director precincts will have to be altered to reflect new population distribution, any districting plan should, to the extent possible, be based on existing director precincts.
5. Director precincts must be configured so that they are relatively equal in total population according to the 2010 federal Census and comply with § 8802.053 of the Texas Special District Local Laws Code. In no event should the total deviation between the largest and the smallest director precincts exceed ten percent.
6. The director precincts should be compact and composed of contiguous territory. Compactness may contain a functional, as well as a 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 be narrowly tailored to 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.
9. The plan should not fragment a geographically compact minority 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. § 1973c.

The District will review all plans in light of these criteria and will evaluate how well each plan conforms to the criteria.

Any plan submitted to the District by a citizen for its consideration should be a complete plan—*i.e.*, it should show the full number of director precincts and should redistrict the entire District. The District's Board of Directors may decline to consider any plan that is not a complete plan.

All plans submitted by citizens, as well as plans submitted by staff, consultants, and members of the District's Board of Directors should conform to these criteria.

This resolution shall be effective upon passage by the Board of Directors.

BE IT SO ORDERED.

Adopted on this 20<sup>th</sup> day of June, 2011.

BARTON SPRINGS/EDWARDS AQUIFER  
CONSERVATION DISTRICT



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Mary Stone, President

ATTEST:

  
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Craig Smith  
Secretary, Board of Directors