

**JANUARY 6, 2021 CITY COUNCIL BRIEFING AGENDA
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Briefing Agenda dated January 6, 2021. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.



T.C. Broadnax
City Manager

12/30/20

Date



for Elizabeth Reich
Chief Financial Officer

12/30/20

Date

RECEIVED

2020 DEC 30 PM 2:23

**CITYSECRETARY
DALLAS.TEXAS**

City of Dallas

*1500 Marilla Street
Dallas, Texas 75201*

Public Notice

200995

POSTED CITY SECRETARY
DALLAS, TX



COUNCIL BRIEFING AGENDA

January 6, 2021

9:00 AM

(For General Information and Rules of Courtesy, Please See Opposite Side.)

(La Información General Y Reglas De Cortesía Que Deben Observarse

Durante Las Asambleas Del Consejo Municipal Aparecen En El Lado Opuesto, Favor De Leerlas.)

General Information

The Dallas City Council regularly meets on Wednesdays beginning at 9:00 a.m. in the Council Chambers, 6th floor, City Hall, 1500 Marilla. Council agenda meetings are broadcast live on WRR-FM radio (101.1 FM) and on Time Warner City Cable Channel 16. Briefing meetings are held the first and third Wednesdays of each month. Council agenda (voting) meetings are held on the second and fourth Wednesdays. Anyone wishing to speak at a meeting should sign up with the City Secretary's Office by calling (214) 670-3738 by 5:00 p.m. of the last regular business day preceding the meeting. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act. **The Council agenda is available in alternative formats upon request.**

If you have any questions about this agenda or comments or complaints about city services, call 311.

Rules of Courtesy

City Council meetings bring together citizens of many varied interests and ideas. To insure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, administrative staff, news media, citizens and visitors. These procedures provide:

- That no one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer.
- All persons should refrain from private conversation, eating, drinking and smoking while in the Council Chamber.
- Posters or placards must remain outside the Council Chamber.
- No cellular phones or audible beepers allowed in Council Chamber while City Council is in session.

"Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while

Información General

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaldía, 1500 Marilla, a las 9 de la mañana. Las reuniones informativas se llevan a cabo el primer y tercer miércoles del mes. Estas audiencias se transmiten en vivo por la estación de radio WRR-FM 101.1 y por cablevisión en la estación *Time Warner City Cable* Canal 16. El Ayuntamiento Municipal se reúne en el segundo y cuarto miércoles del mes para tratar asuntos presentados de manera oficial en la agenda para su aprobación. Toda persona que desee hablar durante la asamblea del Ayuntamiento, debe inscribirse llamando a la Secretaría Municipal al teléfono (214) 670-3738, antes de las 5:00 pm del último día hábil anterior a la reunión. Para enterarse del nombre de su representante en el Ayuntamiento Municipal y el distrito donde usted puede votar, favor de llamar a la Secretaría Municipal.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-5208 (aparato auditivo V/TDD). La Ciudad de Dallas se esfuerza por cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities Act*. **La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.**

Si tiene preguntas sobre esta agenda, o si desea hacer comentarios o presentar quejas con respecto a servicios de la Ciudad, llame al 311.

Reglas de Cortesía

Las asambleas del Ayuntamiento Municipal reúnen a ciudadanos de diversos intereses e ideologías. Para asegurar la imparcialidad y el orden durante las asambleas, el Ayuntamiento ha adoptado ciertas reglas de cortesía que aplican a todos los miembros del Ayuntamiento, al personal administrativo, personal de los medios de comunicación, a los ciudadanos, y a visitantes. Estos reglamentos establecen lo siguiente:

- Ninguna persona retrasará o interrumpirá los procedimientos, o se negará a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben abstenerse de entablar conversaciones, comer, beber y fumar dentro de la cámara del Ayuntamiento.
- Anuncios y pancartas deben permanecer fuera de la cámara del Ayuntamiento.
- No se permite usar teléfonos celulares o enlaces electrónicos (*paggers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal

"Los ciudadanos y visitantes presentes durante las

attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the City Council during that session of the City Council. If the presiding officer fails to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act." Section 3.3(c) of the City Council Rules of Procedure.

asambleas del Ayuntamiento Municipal deben de obedecer las mismas reglas de comportamiento, decoro y buena conducta que se aplican a los miembros del Ayuntamiento Municipal. Cualquier persona que haga comentarios impertinentes, utilice vocabulario obsceno o difamatorio, o que al dirigirse al Ayuntamiento lo haga en forma escandalosa, o si causa disturbio durante la asamblea del Ayuntamiento Municipal, será expulsada de la cámara si el oficial que este presidiendo la asamblea así lo ordena. Además, se le prohibirá continuar participando en la audiencia ante el Ayuntamiento Municipal. Si el oficial que preside la asamblea no toma acción, cualquier otro miembro del Ayuntamiento Municipal puede tomar medidas para hacer cumplir las reglas establecidas, y el voto afirmativo de la mayoría del Ayuntamiento Municipal precisara al oficial que este presidiendo la sesión a tomar acción." Según la sección 3.3 (c) de las reglas de procedimientos del Ayuntamiento.

Handgun Prohibition Notice for Meetings of Governmental Entities

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistol oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

The City Council meeting will be held by videoconference. Individuals who wish to speak in accordance with the City Council Rules of Procedure must sign up with the City Secretary's Office. The following videoconference link is available to the public to listen to the meeting and Public Affairs and Outreach will also stream the City Council Briefing on Spectrum Cable Channel 95 and [bit.ly/cityofdallastv: https://dallascityhall.webex.com/dallascityhall/onstage/g.php?MTID=e65840097a65e0ea00badca56378949e3](https://dallascityhall.webex.com/dallascityhall/onstage/g.php?MTID=e65840097a65e0ea00badca56378949e3)

9:00 a.m. Invocation and Pledge of Allegiance

Special Presentations

Open Microphone Speakers

VOTING AGENDA

1. [20-2301](#) Approval of Minutes of the December 2, 2020 City Council Meeting
2. [20-2302](#) Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

BRIEFINGS

- A. [20-2430](#) Redistricting 2021

Attachments: [Presentation](#)

Adjournment

The above schedule represents an estimate of the order for the indicated briefings and is subject to change at any time. Current agenda information may be obtained by calling (214) 670-3100 during working hours.

Note: An expression of preference or a preliminary vote may be taken by the Council on any of the briefing items.

EXECUTIVE SESSION NOTICE

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]



City of Dallas

1500 Marilla Street
Dallas, Texas 75201

Agenda Information Sheet

File #: 20-2301

Item #: 1.

SUBJECT

Approval of Minutes of the December 2, 2020 City Council Meeting



City of Dallas

1500 Marilla Street
Dallas, Texas 75201

Agenda Information Sheet

File #: 20-2302

Item #: 2.

AGENDA DATE: January 6, 2021
COUNCIL DISTRICT(S): N/A
DEPARTMENT: City Secretary's Office

SUBJECT

Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)



City of Dallas

1500 Marilla Street
Dallas, Texas 75201

Agenda Information Sheet

File #: 20-2430

Item #: A.

Redistricting 2021



City of Dallas

Redistricting 2021

City Council Meeting
January 6, 2021

Brett Wilkinson, Director
Office of Government Affairs
City of Dallas

Presentation Overview



- 2020 Census Update
- Redistricting Overview
- City of Dallas Redistricting Process – Charter Requirements
- City of Dallas Redistricting Commission – Charter Requirements
- City of Dallas Charter Guidelines for Drawing Districts
- Redistricting Best Practices
- Third Party Redistricting Vendor
- Third Party Vendor – Proposed Scope of Work
- Proposed Redistricting Timeline/Next Steps



2020 Census Update



- The U.S. Census Bureau wrapped up self response and field data collection operations on October 15, 2020
- The Bureau is currently processing all the data and ensuring everyone is counted only once and in the right place
- The United States Supreme Court declined to take up a challenge to the Administration's plan to exclude undocumented immigrants from 2020 Census population totals for apportionment
 - The majority questioned the Administration's ability to implement the policy and how they would do it - plaintiffs failed to demonstrate harm and therefore also standing.



2020 Census Update (cont.)



- Census counts delivery tentative timeline:
 - December 31, 2020 – The Census Bureau was scheduled to deliver state population counts for purposes of apportionment
 - April 1, 2021 – The Census Bureau will deliver local counts to each state for purposes of redistricting
- The Census Bureau has released its first 5-year statistics data comparison for the American Community Survey - provides a wide range of statistical information for every community in the nation.



Redistricting Overview



- Upon the release of the 2020 census data by the federal government, governing boards of local government bodies, including city councils, should review population changes to determine if districts have become imbalanced and must be redrawn.
- Out-of-balance electoral districts may require the local government to rebalance the population among the districts.
- Holding elections based on imbalanced districts may subject local governments to potential legal challenges under the one-person, one-vote principle of the United States Constitution.



Redistricting Overview (cont.)



- The 2021 redistricting cycle will mark the first time since 1972 that Texas cities undertake the process without the preclearance requirements of Section 5 of the Voting Rights Act (VRA).
- Historically, Section 5 of the VRA required Texas cities to obtain approval of voting changes, including redistricting plans, from the Department of Justice prior to using them in an election.
- As a result of a 2014 ruling by the United States Supreme Court, Section 5 preclearance is no longer applicable. However, cities remain subject to the nondiscrimination requirements of Section 2 of the VRA.



City of Dallas Redistricting Process - Charter Requirements (Chapter IV, Section 5)



- Requires the appointment of a 15-member Redistricting Commission, appointed by the Mayor and the City Council (not later than 30 days after the city council is briefed on the federal decennial census taken in the prior year)
 - There is no City Charter requirement on when the census briefing must be presented
- The Redistricting Commission shall promptly convene to develop a new districting plan, based on the latest decennial counts, in compliance with guidelines outlined in the City Charter and federal law
- Upon completion of its work, the Redistricting Commission will file the recommended districting plan with the Mayor for presentation to the City Council – The Mayor will present the plan at the next available meeting of the City Council
 - There is no City Charter requirement on when the Redistricting Commission must complete its work



City of Dallas Redistricting Process - Charter Requirements (Chapter IV, Section 5) (cont.)



- Council has 45 days after the districting plan is submitted to the Mayor to adopt, or modify and adopt, a new districting plan (any modification requires $\frac{3}{4}$ vote of the City Council)
- If final action is not taken by the City Council within 45 days, the plan submitted by the Redistricting Commission becomes the final districting plan
- The new districting plan will be implemented at the next general election of the City Council conducted at least 90 days following the date the final districting plan becomes effective for the City
 - currently projected for May 6, 2023



City of Dallas Redistricting Commission – Charter Requirements (Chapter IV, Section 5)



- Each member of the City Council shall appoint one member of the redistricting commission. The Mayor shall designate the chair of the redistricting commission, subject to confirmation by a majority of the City Council.
- In making such appointments, the Mayor and City Council shall, as nearly as may be practicable, provide fair and balanced representation of all geographical areas of the city in the redistricting process and provide a total membership that reflects the racial and ethnic makeup of the city's population.
- Members of the redistricting commission shall be appointed to serve a term that will end upon completion of the redistricting commission's work.
- Persons appointed to the redistricting commission must be registered to vote and meet the qualifications for service on a city commission. A member of the City Council is not eligible for appointment to the redistricting commission.



City of Dallas Redistricting Commission – Charter Requirements (Chapter IV, Section 5) (cont.)



- A member of the redistricting commission is not eligible to be a candidate for a place on the City Council in the next succeeding general election of the City and may not be appointed or elected to the City Council or to any other official board or commission of the City for a period of one year after service on the redistricting commission.
- City Council members may not have contact, directly or indirectly, with a redistricting commission member, or with redistricting commission staff, with respect to redistricting, except by testimony in an open meeting.
 - This would also apply to any third party vendor
- Redistricting commission members may not engage in any discussions, directly or indirectly, regarding redistricting or the work of the redistricting commission with City Council members, except during an open meeting or by written communication given to the entire redistricting commission.



City Charter Guidelines for Drawing Districts (Chapter IV, Section 5)



- The districts shall be substantially equal in population according to the total population count as presented in the census data, except where deviation is required to comply with federal law or is allowable by law.
- In addition to the requirements of federal law, there shall be no discrimination on the basis of race, color, or membership in a language minority group, and the voting strength of racial, ethnic, and language minorities in the districts shall not be diluted to deprive minority voters of an equal opportunity to elect a candidate of their choice.
- The districts shall be geographically compact, to the extent possible, and composed of contiguous territory.



Charter Guidelines for Drawing Districts (Chapter IV, Section 5) (cont.)



- The reconfiguration of districts shall be neutral as to incumbents or potential candidates.
- Communities of interest shall be placed in a single district and attempts should be made to avoid splitting neighborhoods, where possible, without violating the other requirements.
- The redistricting commission may adopt any other requirements of federal or state law.



Redistricting Best Practices - Preparation



- Apply the 2020 Census to existing districts to determine if those districts are out of population balance.
- Use the census racial and ethnic data to map the location of minority groups.
- Consider the timing of the various elements (e.g., the release of the census data, the city's election cycle, statutory deadlines) to develop a timeline for redistricting that will avoid public and candidate confusion related to the next election cycle.
- Ensure that the decision makers are aware of the legal requirements that must be met in drawing districts.



Redistricting Best Practices - Transparency



- Explain the process to the public
- Develop rules and guidelines for public participation:
 - Any plan submitted by a member of the public should be in writing
 - Any plan should contain population and demographic data for each district
 - Any plan should redistrict the entire city since every district will affect the boundaries of other districts and should be drawn so as to make it possible to produce a comprehensive plan with a complete complement of districts
 - Any comments should be submitted by the end of the last public hearing.



Redistricting Best Practices – Transparency (cont.)



- Post plans and other information on the process on the governmental body's website and make use of other opportunities (e.g. cable television broadcast, if available) to keep the public informed
- Develop an illustrative plan or plans based on the criteria and input from the decision makers and the public
- Conduct public hearing on the plan and make adjustments and revisions as appropriate
- Coordinate with election officials to avoid issues with election administration



Redistricting - Third Party Vendor



City management recommends hiring a third-party professional firm to manage the City's 2021 redistricting efforts:

- Redistricting expertise and capacity
- Fiscally responsible
 - Avoids the City having to hire staff
 - Avoids the City having to secure office space, equipment and supplies
 - Allows for utilization of latest technology
- Competitive and transparent process



Third Party Vendor - Proposed General Scope of Work



- Initial planning and development of redistricting schedule
- Assessment of Census data – determine if districts are out of balance
- Implement criteria for redistricting (based on charter requirements)
- Work with the City's Redistricting Commission and other stakeholders to develop new districting plans
- Schedule public meetings/presentations of proposed redistricting plans
- Assist with City Council adoption of the final plan



Proposed Redistricting Timeline/Next Steps (Tentative)



City Secretary
invites the Mayor
and City Council to
nominate
members to the
Redistricting
Commission

Advertise for
request for
competitive sealed
proposals for third
party redistricting
vendor

City Council
approval of
redistricting
vendor contract

Recommended
date for
Redistricting
Commission being
in place

Census data
briefing to the
City Council
(no City
Charter
requirement
on timing of
briefing)

Jan

Feb

Mar

Apr

May

30
days
later

2021

Census data
distributed to
state and local
governments

Redistricting
Commission
Workshop

Redistricting
Commission must
be appointed (per
the City Charter)



Proposed Redistricting Timeline/Next Steps (Tentative) (cont.)



Development
of new
districting plan
(No City
Charter
deadline on
completion
date)

6-month
residency
requirement
deadline for
May 6, 2023
election

90 days prior to
the May 6, 2023
election (City
Charter
requirement for
when new
districting plan
must be in place
for next election
under new
districting plan)

June
2021

2021 - 2023

Upon
Completion
2021

City Council
consideration of new
districting plan
(Council has 45 days
after the districting
plan is submitted to
the Mayor to adopt,
or modify and adopt,
a new districting
plan)

Nov
2022

Jan to
Feb
2023

Filing
period for
May 6,
2023
election

Feb
5,
2023

May
6,
2023

First City Council
election under
new districting
plan (to avoid
any potential
litigation for
using outdated
district maps)





Questions?



Appendix Redistricting – Other Cities



City	Internal Process/External Firm	Selected Firm	Contract Amount	Commission Requirements
Arlington, TX	External Firm	Bojorquez Law Firm, PLLC	N/A	City Council holds the responsibility of determining how to determine district, no commission is required.
Addison, TX	No Districts – At Large	N/A	N/A	N/A No District map created
Austin, TX	Internal Process – Independent Commission	No firm hired	N/A	Independent Citizen Redistricting Commission by application, and a separate 3 CPA panel to review applicants
Cleburne, TX	External Firm	Bickerstaff Heath Delgado Acosta, LLP	\$24,000	There's no Redistricting Commission; however, the City Council would make those appointments if they determined a commission is need.
Denton, TX	External Firm	Bob Heath of Bickerstaff Heath Delgado Acosta LLP		City Council decides the process for districting
Garland, TX	Internal Process	N/A	N/A	City Council has the authority to redistrict with no requirement for a commission.
Houston, TX	Internal Process	N/A	N/A	City Council oversees the process for determining new maps.
San Antonio, TX	External Firm	TBD – RFQ to be awarded Feb 2021 Hired Bickerstaff Heath Delgado Acosta LLP hired in 2012	\$230k	A Redistricting Commission is not required by the City Charter; however, the City Council would make those appointments if they determined a commission is need.
Ft. Worth, TX	Internal Process	N/A	N/A	City Council appoints Redistricting Taskforce in accordance with Resolution No. 5259-08-2020
El Paso, TX	TDB – Hired external firm in 2012	TBD – Hired Bickerstaff Heath Delgado Acosta LLP in 2012	TBD – \$20k in 2012	City Council appoints Redistricting Commission in accordance with City Charter Article II Section 2.4(B)



Appendix Redistricting – Other Cities



City	Internal Process/External Firm	Selected Firm	Contract Amount	Commission Requirements
Columbus, OH	Internal Process	N/A	N/A	An independent, citizen-led districting commission shall be appointed by March 1 in the year 2021
Jacksonville, FL	Internal Process	N/A	N/A	City Council led process with no requirement for a commission
Sacramento, CA	Internal Process – Independent Commission	N/A	N/A	Independent Citizen Redistricting Commission by application
San Diego, CA	Partial Internal Partial External Firm	TBD	TBD	Independent citizen-led Redistricting Commission, in accordance with California Elections Code Section 21550(c)
San Jose, CA	External Firm	TBD	TBD	City Council appoints Redistricting Commission in accordance with City Charter Section 403





City of Dallas

Redistricting 2021

City Council Meeting
January 6, 2021

Brett Wilkinson, Director
Office of Government Affairs
City of Dallas