



**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)**

2021

Jan

Feb

Mar

Apr

May

30  
days  
later

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 <a href="#">Resolution No. 5259-08-2020</a>
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 <a href="#">City Charter Article II Section 2.4(B)</a>



# 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 <a href="#">California Elections Code Section 21550(c)</a>
San Jose, CA	External Firm	TBD	TBD	City Council appoints Redistricting Commission in accordance with <a href="#">City Charter Section 403</a>





**City of Dallas**

# **Redistricting 2021**

**City Council Meeting  
January 6, 2021**

Brett Wilkinson, Director  
Office of Government Affairs  
City of Dallas