



**CITY OF NEW BRAUNFELS, TEXAS  
REDISTRICTING COMMITTEE MEETING**



**CITY HALL - COUNCIL CHAMBERS  
550 LANDA STREET**

**TUESDAY, OCTOBER 26, 2021 at 5:30 PM**

**AGENDA**

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **DISCUSSION AND ACTION**
  - A) Training on redistricting process [21-1158](#)
  - B) Presentation on the Initial Assessment [21-1153](#)
  - C) Recommendation to City Council to approve a resolution [21-1156](#)  
that will adopt the criteria for use in the City's 2021  
redistricting process.
  - D) Recommendation to City Council to approve a resolution [21-1157](#)  
that will adopt guidelines for the 2021 redistricting  
proposals submitted by outside interested parties.
4. **ADJOURNMENT**

**CERTIFICATION**

I hereby certify the above Notice of Meeting was posted on the bulletin board at the New Braunfels City Hall.

---

Board Liaison

NOTE: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at 221-4010 at least two (2) work days prior to the meeting so that appropriate arrangements can be made.

10/26/2021

Agenda Item No. A)

---

**PRESENTER:**

Alan Bojorquez/Rezzin Pullum, Redistricting Consultants

**SUBJECT:**

Training on redistricting process

**DEPARTMENT:** City Attorney's Office

**COUNCIL DISTRICTS IMPACTED:** Citywide

**BACKGROUND INFORMATION:**

In addition to achieving proportional balance under the ***One Person / One Vote*** standard, this firm will ensure the City's continued compliance with the ***U.S. Voting Rights Act, Texas law***, and the ***Home Rule Charter***. The firm will follow its standard procedure which will involve the:

- Training Session (today's workshop)
- Analysis of the census results
- Determination by the City Council
- Establishment of City Council criteria
- Exploration of options for district lines
- Educating the public on the process
- Engagement of the citizenry
- Consultations with special interests
- Consideration of alternative plans
- Providing public notifications
  - Publishing public notices
  - Conducting public hearings
  - Legal assessment of options
  - Recommendations by legal consultant
  - Adoption of a plan by the City Council

**ISSUE:**

Training is beneficial for the Committee so that they fully understand the redistricting process and their advisory role.

**FISCAL IMPACT:**

---

N/A


**RECOMMENDATION:**


Training recommended.

City of  
New Braunfels

Training, Initial Assessment & Resolutions

Briefing for the Redistricting Committee





BOJORQUEZ  
LAW FIRM, PC

TexasMunicipalLawyers.com

Rezzin Pullum  
October 26, 2021

1

Rezzin Pullum

■ Municipal Attorney

■ Texas Southern University


■ JD

■ University of Houston

■ BBA

■ Member, Texas City Attorneys Assn

■ Served as Presiding Judge in Harris County Elections



BOJORQUEZ  
LAW FIRM, PC

TexasMunicipalLawyers.com

2

Bojorquez Law Firm, PC

4

1

## Agenda

- What is Redistricting?
- Why do it?
- How is it done?
- What is an Initial Assessment?
- Summary of the Initial Assessment
- How do we address resolutions?



3

## What is Redistricting?

- Redistricting (aka, Reapportionment) is the process of drawing (or changing) single-member electoral district boundaries
- It is based on data from the U.S. Census Bureau
- Every 10 years the Census counts each U.S. resident and notes where they live on April 1



4

## What is it About?

Redistricting is about **math**

- It's about numbers
- It's about lines on a map
- It's about demographics
- It's about streets



5

## What is it *Really* About?

- Redistricting is about **people**
- It's about neighborhoods and communities
- It's about the representative nature of democracy
- It's about the ability to choose one of your neighbors to speak for you and act on your behalf
- It's about making sure your vote counts the same as everybody else's

6

# Texas' 2020 Census Statistics

- Total Population: 29,145,505
- Demographics for the State:
  - White: 41.2%
  - Hispanic: 39.7%
  - Black or African American: 12.9%
  - Asian: 5.2%
  - Two or more Races: 2.1%
  - Other Race: 5.9%
  - American Indian & Alaskan Native: 1.0%
  - Native Hawaiian or Other Pacific Islander: 0.1%



*\*Obtained from the US Census Bureau on September 10, 2021 at <https://www.census.gov/quickfacts/fact/table/TX/POP010220>*

7

# Legal Principles

**There are 5 basic legal principles that govern the process:**

1. Your Home Rule Charter
2. One Person / One Vote
3. Section 2 of the U.S. Voting Rights Act
4. *Shaw v. Reno* line of cases
5. Texas Election Laws

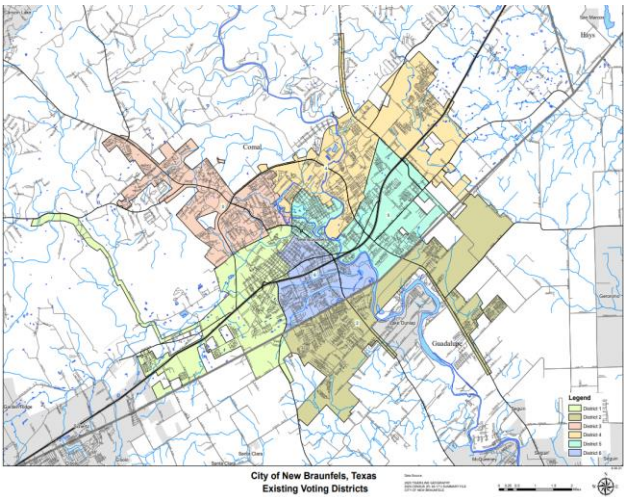


8



# New Braunfels City Charter

**Art. III, Sec. 3.01:**  
The elective officers of the City shall consist of a Mayor and  
**6 Councilmembers,**  
**1 Councilmember** to be elected by each of the **6** single-member districts



9

# One Person / One Vote

- Derived from the US Constitution, *Baker v. Carr*, and *Reynolds v. Sims*.
- Requires that members of an elected body be drawn from districts of *substantially equal population*.
- Applies to the single-member districts of “legislative” bodies such as city councils.
- Exact equality of population is not required.
- Strive for districts with a Total Maximum Deviation of 10% or less measured against the *ideal sized* district based on the 2020 census.



10



# Section 2 of the U.S. Voting Rights Act

## Threshold Test to bring §2 Challenge

- Protected minority group must be large enough and geographically compact to constitute a majority in a district.
- Protected Minority group must be politically cohesive.
- White majority must typically vote as a block that defeats the choice of minority group voters.

## Big Question

- Whether under the Totality of the Circumstances the challenged plan gives members of the protected minority group an opportunity to participate in the political process and elect the candidates of their choice (that is equal to that enjoyed by other members of the electorate).

## Key Point

- Avoid **Cracking** or **Packing**

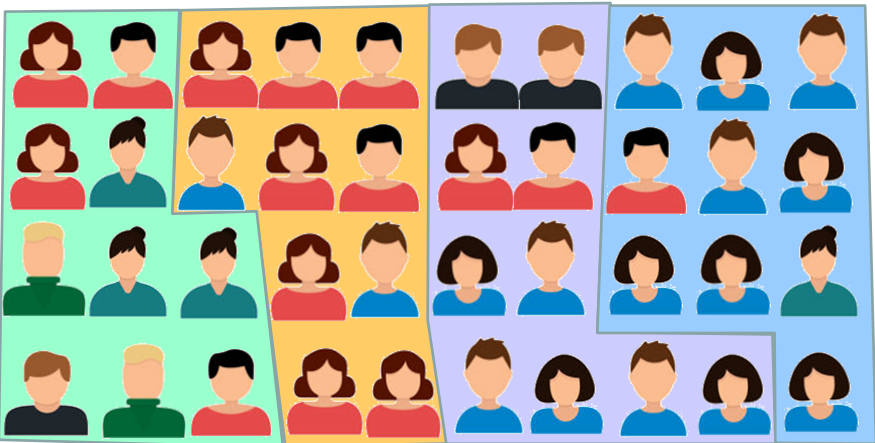


11

# One Option

Pop: 40  
**Red:** 15 (38%)  
**Blue:** 16 (40%)  
**Other:** 9 (2%)

- 1. Plurality/Influence
- 2. Blue Majority
- 3. Red Majority
- 4. Blue Majority



This scenario is not necessarily *ideal*, but just an *illustration* of an alternative

12

# Cracking

Pop: 40  
Red: 15 (38%)  
Blue: 16 (40%)  
Other: 9 (2%)

- 1. Plurality
- 2. Plurality/Influence
- 3. 50/50
- 4. Plurality/Influence



**Cracking:** The act of diluting the voting power across multiple districts

13

# Packing

Pop: 40  
Red: 15 (38%)  
Blue: 16 (40%)  
Other: 9 (2%)

- 1. Red Majority
- 2. Blue Majority
- 3. Plurality
- 4. Blue Majority



**Packing:** Concentrating voting power in 1 district to reduce power in other districts

14

# Shaw v. Reno

## Guiding Principals:

- Race may be considered as one factor among others
- Race may not be the predominant factor to the subordination of traditional redistricting principles
- Bizarrely shaped wards are not unconstitutional per se, but the bizarre shape may be evidence that race was the predominant consideration
- If race is the predominant consideration, a proposed plan may still be constitutional if it is “narrowly tailored” to address compelling governmental interest such as compliance with the Voting Rights Act
- If a plan is narrowly tailored, it will use race no more than is necessary to address the compelling governmental interest.



15

# New Braunfels’ Population Data

- 2010 Population: 57,740\*
- 2020 Population: 90,370

\* US Census Bureau 2010



16

# New Braunfels' 2020 Demographics

- White: 57.30%
- Hispanic: 34.58%
- Black or African American: 2.62%
- Asian: 1.40%
- Two or more Races: 3.33%
- Other Race: 0.37%
- American Indian & Alaskan Native: 0.26%
- Native Hawaiian or Other Pacific Islander: 0.14%
  
- **NOTE:** Each of the above is one category, *only* (e.g., “White” means White & Non-Hispanic)

17

# New Braunfels' Initial Assessment

## Big Picture

- Total Population for 2020: 90,370
- Ideal District Size is 15,062 per Single-Member-District (SMD)
- Cannot have a Total Maximum Deviation (TMD) of more than 10%

18

## Demographic Report: Existing Districts

DISTRICT	Total Population Tabulation			
	All Persons	Target	Dev.	Difference
1	15,020	15,062	-0.28%	-42
2	21,034	15,062	39.65%	5,972
3	13,339	15,062	-11.44%	-1,723
4	16,995	15,062	12.84%	1,933
5	14,161	15,062	-5.98%	-901
6	9,821	15,062	-34.79%	-5,241
Total	90,370			

*\*These numbers may be subject to rounding errors.*

19

## New Braunfels' Population Size by District

- Ideal Population Size per District: **15,062**
- Current Population Size per District / Deviation from Ideal:
  - District 1 is 15,020 or -0.28%
  - **District 2 is 21,034 or 39.65%**
  - District 3 is 13,339 or -11.44%
  - District 4 is 16,995 or 12.84%
  - District 5 is 14,161 or -5.98%
  - **District 6 is 9,821 or -34.79%**

*\*These numbers may be subject to rounding errors.*

20

# The Math

- Total Population Divided by Number of SMD:
  - $90,370 / 6 = 15,062$
- District 2 is the largest District. District 6 is the smallest:
  - District 2 is 21,034 or 39.65% Deviation
  - District 6 is 9,821 or -34.79% Deviation
- Current TMD is 74.44%
  - not within the 10% maximum permissible range.
- What now? *We redistrict!*  
\*These numbers may be subject to rounding errors.

21

# The Process: Next Steps

- Obtain local population data
- Conduct Initial Assessment
- Establish Criteria, Guidelines, Policies & Timeline
  - Presented as Resolutions for Adoption by Council
- Compile Initial Preferences of Council & Staff
- Determine Approach to Civic Engagement
- Commence Map Drawing
- Civic Engagement
- Possible Plans:
  - Illustrative Maps are internal versions intended for informal feedback
  - Draft Maps are public versions for which public comments are solicited
  - Citizen Maps are submitted by outside parties for public comment & city consideration
- Adoption of new Plan by City Council
- Final Report to City Council



22



# Redistricting Criteria Resolution

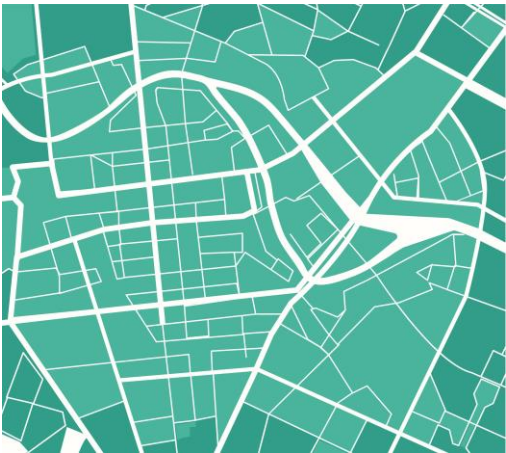
- Identifiable geographic boundaries should be followed.
- Communities of interest should be maintained.
- Avoid splitting neighborhoods.
- Composed of whole voting precincts (when possible / practicable).
- Configured so they are relatively equal in total population.
- Compact & composed of contiguous territory.
- Preservation of incumbent-constituency relations by recognition of the residence of incumbents.
- Not *crack* or *pack* minority voters.
- Composed of whole census block groups or blocks.
- Within acceptable Total Maximum Deviation.
- Narrowly tailor the plan to comply with the Voting Rights Act.

23

# Guidelines for Citizen Map Submissions

**Proposed Maps submitted by members of the public must:**

- be submitted in writing (legible).
- show the Total Population & Voting Age Population for Blacks, Hispanics, Asians & White/Other for each proposed City Council district.
- be submitted by the established Deadlines.
- redistrict the *entire* City, not just the district they care most about.
- conform to the Criteria.



24

# Civic Engagement

- Identify particular people or organizations who have expressed an interest.
- Post Notices & Maps online & at City Hall for public viewing.
- Notify the media & respond to media inquiries.
- Utilize Web & Social Media.
- Consider Requests, Suggestions & Input from Residents, Civic Groups, & Advocacy Groups.
- Convene group or individual meetings.
- Conduct Public Hearings.



25

# Timeline

- Proposed First Public Hearing: **December 15, 16, or 17**
- Recommended **Latest** Day /Final Adoption Date of Maps: **January 10**
- First Day to File for Place on the Ballot: **January 19**
- Last Day to File for Place on the Ballot & Last Day to Order Election for May 2022 is **February 18<sup>th</sup>**
- Plan must be adopted at least *3 months* prior to Election Day (TEC 276.006)



26

# Timeline

- Variables include:
  - Number of Maps requested
  - Number of Maps submitted by Public
  - Degree of Citizen Involvement / Civic Engagement
  - Number of Public Hearings & Meetings
  - Willingness to have Special Meetings / Meet over holidays



27

# Questions



**BOJORQUEZ**  
LAW FIRM, PC  
TexasMunicipalLawyers.com

28

10/26/2021

Agenda Item No. B)

---

**PRESENTER:**

Alan Bojorquez/Rezzin Pullim, Redistricting Consultants

**SUBJECT:**

Presentation on the Initial Assessment

**DEPARTMENT:** City Attorney's Office

**COUNCIL DISTRICTS IMPACTED:** Citywide

**BACKGROUND INFORMATION:**

The Initial Assessment will include the 2020 Census Bureau Population Data and an evaluation of the data in relation to New Braunfels' existing district boundaries. The Initial Assessment presentation will also include a discussion of the calculation of the total maximum deviation for New Braunfels and a recommendation to continue with the redistricting process.

**ISSUE:**

Presentation of Initial Assessment and a recommendation to continue with the redistricting process which includes the adoption of two resolutions that establish guidelines for redistricting and criteria for map submissions by the public. These two resolutions are on this agenda for review and a recommendation for adoption.

**FISCAL IMPACT:**

N/A

**RECOMMENDATION:**

Recommendation to continue with the redistricting process based on the Initial Assessment.

10/26/2021

Agenda Item No. C)

---

**PRESENTER:**

Alan Bojorquez/Rezzin Pullim, Redistricting Consultants

**SUBJECT:**

Recommendation to City Council to approve a resolution that will adopt the criteria for use in the City's 2021 redistricting process.

**DEPARTMENT:** City Attorney's Office

**COUNCIL DISTRICTS IMPACTED:** Citywide

**BACKGROUND INFORMATION:**

The consultants will be recommending the approval of this resolution that establishes the criteria the City will use in drawing of boundary lines as part of the 2021 redistricting process.

**ISSUE:**

After the presentation of Initial Assessment and approving a recommendation to continue with the redistricting process, the next steps are for the Committee to review, approve, and recommend to City Council that they adopt this resolution and the resolution that sets the guidelines for map submissions by the outside interested parties. These two resolutions are on this agenda for review and a recommendation for adoption by the City Council at the regular meeting on November 8, 2021.

**FISCAL IMPACT:**

N/A

**RECOMMENDATION:**

Recommendation to approve the resolution and to recommend approval to City Council for adoption.

**RESOLUTION NO. \_\_\_\_\_**

**APPROVAL OF A RESOLUTION ADOPTING CRITERIA FOR USE IN  
2021 REDISTRICTING PROCESS**

**WHEREAS,** the City Council of the City of New Braunfels has certain responsibilities for redistricting under federal and state law including, but not limited to, Amendments 14 and 15 to the United States Constitution, and the Voting Rights Act, 42 U.S.C.A. § 1973, *et seq.*; and Texas Government Code §§ 2058.001 and 2058.002; and Texas Election Code §276.006; and

**WHEREAS,** the City Council has certain responsibilities for redistricting under the City Charter; and

**WHEREAS,** on review of current demographic data it appears that a population imbalance exists requiring redistricting of the City Councilmember Districts; and

**WHEREAS,** it is the intent of the City 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 City in the consideration of districting plans; and

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

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

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of New Braunfels, that the City, in its adoption of a redistricting plan for City Councilmember Districts, will adhere to the following criteria:

1. Where possible, easily identifiable geographic boundaries should be followed.
2. Communities of interest should be maintained in a single district, where possible, and attempts should be made to avoid splitting neighborhoods.
3. To the extent possible, districts should be composed of whole voting precincts. Where this is not possible or practicable, districts 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 districts will have to be altered to reflect new population distribution, any districting plan should, to the extent possible, be based on existing districts.



5. Districts must be configured so that they are relatively equal in total population according to the 2020 federal census and current population estimates from other reliable sources. In no event should the total maximum deviation between the largest and the smallest district exceed ten percent (10%). The City will attempt to achieve a total maximum deviation that is less than ten percent according to the best available data.
6. The districts should be compact and composed of contiguous territory. Compactness may contain a functional, as well as a geographical dimension.
7. Proposed plans shall be assigned a name in accordance with the naming convention established by the City, followed by an alpha character and, if applicable, a numeric character. The term “Illustrative Map” shall be used to define all maps that are created for internal distribution only. The term “Draft Map” shall be used to define all maps that are shared and submitted to the public by the City.
8. 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.
9. 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.
10. 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. § 1973.

**PASSED & APPROVED this, the \_\_\_\_ day of \_\_\_\_\_ 2021.**

**City of New Braunfels**

By: \_\_\_\_\_  
Rusty Brockman, Mayor

**ATTEST:**

\_\_\_\_\_  
Caitlin Krobot, City Secretary

10/26/2021

Agenda Item No. D)

---

**PRESENTER:**

Alan Bojorquez/Rezzin Pullim, Redistricting Consultants

**SUBJECT:**

Recommendation to City Council to approve a resolution that will adopt guidelines for the 2021 redistricting proposals submitted by outside interested parties.

**DEPARTMENT:** City Attorney's Office**COUNCIL DISTRICTS IMPACTED:** Citywide**BACKGROUND INFORMATION:**

The consultants will be recommending the approval of this resolution by City Council, that establishes the guidelines for the 2021 redistricting proposals in the form of map submissions from the public. The guidelines will govern map submissions by members of the public and it includes a *proposed* deadline of December 6, 2021.

**ISSUE:**

After the presentation of Initial Assessment and approving a recommendation to continue with the redistricting process, the next steps are for the Committee to review, approve, and recommend to City Council that they adopt this resolution. These two resolutions are on this agenda for review and a recommendation for adoption by the City Council at the regular meeting on November 8, 2021.

**FISCAL IMPACT:**

N/A

**RECOMMENDATION:**

Recommendation to approve the resolution and to recommend approval to City Council for adoption.

**RESOLUTION NO. \_\_\_\_\_**

**APPROVAL OF A RESOLUTION ADOPTING GUIDELINES FOR 2021 REDISTRICTING PROPOSALS FROM OUTSIDE INTERESTED PARTIES.**

**WHEREAS,** the City Council for the City of New Braunfels 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., and the Voting Rights Act, 42 U.S.C.A. § 1973, *et seq*; and Texas Government Code §§ 2058.001 and 2058.002; and Texas Election Code §276.006; and

**WHEREAS,** the City Council has certain responsibilities for redistricting under the City Charter; and

**WHEREAS,** it is necessary to provide for the orderly consideration and evaluation of redistricting plans which may come before the City Council; and

**WHEREAS,** these guidelines relate to persons other than the City of New Braunfels who have specific proposed redistricting plans they wish the City Council to consider; and

**WHEREAS,** the City Council welcomes any comments relevant to the redistricting process;

**NOW THEREFORE, BE IT RESOLVED by the City Council of the City of New Braunfels, that in order to make sure that any plan that might be submitted is of maximum assistance to the City Council in its decision-making process, the City Council hereby sets the following guidelines:**

1. Citizen Maps are those submitted to the City of New Braunfels by members of the public, special interest groups, other political subdivisions, or individual members of the City Council.
2. Citizen Maps shall be assigned a name in accordance with the naming convention established by the City, beginning with Citizen Map, followed by an alpha character and if applicable, a numeric character. Citizen Maps shall identify the creator or the organization that has produced the Citizen Map for purposes of tracking civic engagement, including names of members of the board of directors if the map is submitted by an organization.
3. Citizen Maps must be submitted in writing. If a plan is submitted orally, there is significant opportunity for misunderstanding, and it is possible that errors may be made in analyzing it. The City Council wants to be sure that all proposals be fully and accurately considered.

4. Any Citizen Maps must show the total population and voting age population for Black or African Americans, Hispanics, Asians, Anglo and any other race identified by the census for each proposed City Council district. If a plan is submitted without a population breakdown, the City Council may not have sufficient information to give it full consideration.
5. Citizen Maps must be submitted by December 6, 2021.
6. Citizen Maps must redistrict the entire City. The City Council, of course, will be considering the effect of any plan on the entire City. Also, the City Council is subject to the Voting Rights Act, which protects various racial and language minorities. Thus, as a matter of federal law, it will be required to consider the effect of any proposal on multiple racial and ethnic groups. If a Citizen Map does not redistrict the entire City, it may be impossible for the City Council to assess its impact on one or more protected minority groups. Incomplete maps make it difficult to gauge compliance with One Person / One Vote.
7. Citizen Maps must conform to the criteria the City Council will be using in drawing the City Council member districts. Citizen Maps must be accompanied by a transmittal report identifying any criteria used other than that specified on the Resolution adopted by the City Council. It is crucial that the foundation for decisions reflected in a proposed plan be carefully documented.

**PASSED & APPROVED this, the \_\_\_\_ day of \_\_\_\_\_ 2021.**

**City of New Braunfels**

By: \_\_\_\_\_  
Rusty Brockman, Mayor

**ATTEST:**

\_\_\_\_\_  
Caitlin Krobot, City Secretary