

A RESOLUTION

NO. 5375-04-2021

ACCEPTING THE FINAL REPORT OF THE REDISTRICTING TASK FORCE AND ESTABLISHING CRITERIA AND PROCEDURES FOR REDRAWING DISTRICT BOUNDARIES

WHEREAS the City Council on August 4, 2020, adopted Resolution No. 5259-08-2020, appointing a Redistricting Task Force (Task Force) and charging the Task Force with responsibility for advising the Council about the criteria and procedures by which the Council should redraw its district boundaries after the U.S. Bureau of the Census has published block-level population data from the 2020 census; and

WHEREAS the Task Force has completed its assigned work and presented its final report to the City Council at the Council's regular work session on March 2, 2021; and

WHEREAS the Task Force's final report consists of the presentation titled "Final Report of the Redistricting Task Force," dated March 2, 2021, and attached hereto as Exhibit A; and

WHEREAS the City Council wishes to accept the Task Force's findings and recommendations as set forth in the final report and, accordingly, to use certain criteria and procedures as described in this resolution to redraw its district boundaries; and

WHEREAS the City Council wishes to engage Task Force members in the redistricting process, even after the Task Force has accomplished its purpose and ceased to exist as a formal entity;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS, as follows:

1. That the City Council accepts the final report of the Redistricting Task Force and declares its intent to use the following criteria and procedures in redrawing its district boundaries.
 - a. Criteria
 - (1) High-priority criteria, not in any order of priority
 - (a) Approximately equal size: The populations of all districts shall be approximately equal. In no event shall the population of the largest district be more than ten percent greater than the population of the smallest district.
 - (b) Legal compliance: The redrawing of district boundaries shall comply with the U.S. Constitution, the Voting Rights Act, the Texas Constitution, and other applicable laws to avoid impermissible packing, fragmentation, or retrogression in the ability of minorities to participate in the electoral process.

- (c) Minority opportunity districts: The City shall create minority opportunity districts, to the extent possible and in compliance with federal law, to reflect the City's growing diversity. Such districts are intended to create opportunities for fair representation rather than to promote electoral outcomes. Electability is a function of many factors, including candidate qualifications, appeal to voters, voting-age population, voter registration, and voter participation as well as demographic characteristics.
- (d) Communities of interest: The City shall contain communities of interest in single districts, where feasible, with community of interest defined as a local population with shared socio-economic characteristics and political institutions that would benefit from unified representation. Communities of interest may include neighborhoods, groups of neighborhoods, school attendance zones, and similar geographic areas.
- (e) Contiguous territory: To the extent feasible, each district shall consist of contiguous territory.

(2) Lower-priority criteria, not in any order of priority

- (a) Compactness: Each district shall be geographically compact, with the goal of attaining a Polsby-Popper ratio greater than or equal to 0.050. If any proposed district yields a compactness score that is less than 0.050, then a detailed justification must be stated.
- (b) Identifiable geographic boundaries: District boundaries shall consist of easily identifiable geographic features, such as streams, railroad tracks, and major thoroughfares to the extent feasible. To the extent possible, dwelling units that are located on opposite sides of the same residential street shall be assigned to the same district.
- (c) Voting precincts: Districts shall consist of whole voting precincts, where feasible.
- (d) Census blocks and block groups: To the extent possible, districts shall consist of whole census blocks.
- (e) Places of residence: In redrawing district boundaries, the City shall not consider the place of residence of any incumbent or potential candidate.

b. Procedures: The process of redrawing Council district boundaries shall promote public participation and transparency as follows.

- (1) Registration for communities of interest: The City Council requests the City Manager to establish a registration process whereby interested residents might self-identify communities of interest and the geographic boundaries of such communities. This process shall be voluntary and advisory in nature and should occur during the months of April through September 2021, before redistricting begins.

- (2) Resident-produced redistricting plans: The City Council requests the City Manager through appropriate staff to provide redistricting software training for interested residents during the months of April through September 2021, to assist residents in preparing redistricting plans during the months of October and November 2021, to analyze such plans submitted by residents, and to brief the Council about the merits of such plans, including the extent to which they meet the City Council's adopted criteria.
- (a) No later than the end of April 2021, City staff shall publish a catalog of training resources, including a schedule of classes in which staff will train interested residents on the use of ESRI redistricting software.
 - (b) Residents will be able to download the redistricting software and use it on their private computers. City staff will specify hardware and software requirements for using this software on private computers.
 - (c) Residents will also be able to use the redistricting software on public computers at designated libraries and community centers and at other suitable locations.
 - (d) No demographic data available in the redistricting software shall refer to the party affiliations of registered voters.
 - (e) After City staff assesses the extent to which each resident-produced plan meets the City Council's adopted criteria, staff shall discuss its findings directly with the residents who produced each such plan.
- (3) Selection of initial map as starting point for further mapping: The City Council shall designate one of the maps submitted to the Council by City staff, or by residents and resident groups, to serve as the starting point for further map drawing deliberations.
- (4) Rationale for proposed changes to initial map: After the City Council has selected an initial map as the starting point for map drawing deliberations, all changes to the initial map shall include a statement explaining the rationale for each such change and the impact of such change on all of the redistricting criteria established by the Council.
- (5) Redistricting as a single agenda item: All map drawing meetings of the City Council shall be conducted as separate meetings with no other items on the meeting agenda and at least ten (10) days public notice shall be given in advance of each such meeting.
- (6) Public hearings
- (a) During the month of January 2022, a quorum of the City Council shall conduct at least two in-person, virtual, or hybrid public hearings, including:
 - (i) At least one hearing after the Council has received plans from residents and City staff, but before the Council selects an initial map as a starting point for map drawing deliberations; and
 - (ii) At least one hearing after the Council has selected an initial map but before the Council considers any changes to that map.

(b) During the month of April 2022, after the City Council has produced a proposed map, a quorum of the Council shall conduct at least four in-person, virtual, or hybrid public hearings before adopting the proposed map. At least one of these public hearings shall be conducted for each of four pairs of existing adjacent districts.

(7) Transparency: The City Council shall conduct all deliberations about redistricting in official meetings, subject to all provisions of the Texas Open Meetings Act. Any communications about map drawing among City Council members shall occur in such meetings, with any relevant computer screen visible to the Council and public observers.

2. That the City Council acknowledges the following recommendations by the Redistricting Task Force but defers action on these recommendations pending consideration after the 2021 municipal elections.

a. Plans to be produced by consultant(s): The City shall retain one or more consultants to propose an initial map or maps applying the criteria adopted by the Council, such map or maps to be considered, along with initial maps proposed by City staff and residents or resident groups, as a starting point for further map drawing deliberations.

b. Charter review task force: The City Council shall appoint a charter review task force that would study and make recommendations concerning the advisability of establishing an independent redistricting commission. Upon formation, the charter review task force shall, after providing for full and meaningful public participation, submit its recommendations to the City Council in time for redistricting to proceed on an orderly basis promptly after the 2030 federal census.

3. That the City Council requests the City Manager to arrange a joint work session of the Council and Task Force members for an appropriate date, time, and location after the U.S. Bureau of the Census has published block-level population data from the 2020 census but before the Council has begun the redistricting process.

Adopted this 6th day of April 2021.

ATTEST:

By: Mary J. Kayser

Mary J. Kayser, City Secretary





Exhibit A

FINAL REPORT OF THE REDISTRICTING TASK FORCE

Lorraine Miller, Chair
Linda Kennedy
Sal Espino

March 2, 2021

Redistricting Task Force

Members

Place 1: Lorraine Miller (Chair)
Place 2: Salvador Espino
Place 3: Graham Norris
Place 4: Craig Allen
Place 5: Bert Williams
Place 6: Linda Kennedy
Place 7: Tony DeVito
Place 8: Tracy Scott
Place 9: Kent Bradshaw
Place 10: Bill Schur
Place 11: Teresa Ayala

Staff

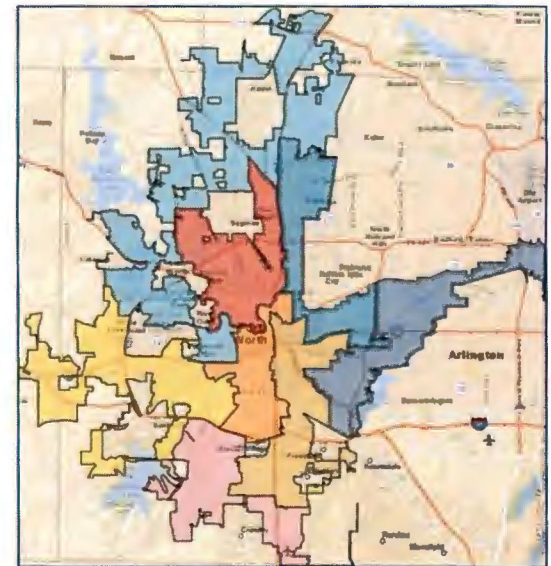
City Manager's Office
City Secretary's Office
Law
Planning and Data Analytics
Information Technology Solutions
Communications and Public Engagement
Diversity and Inclusion



Resolution No. 5259-08-2020, Appointing a Redistricting Task Force

Adopted August 4, 2020

“The Redistricting Task Force is charged with evaluating the criteria and procedures by which the City Council has redrawn Council district boundaries in the past and, accordingly, **advising the City Council about redistricting criteria and procedures** that the City Council should use in the future.”

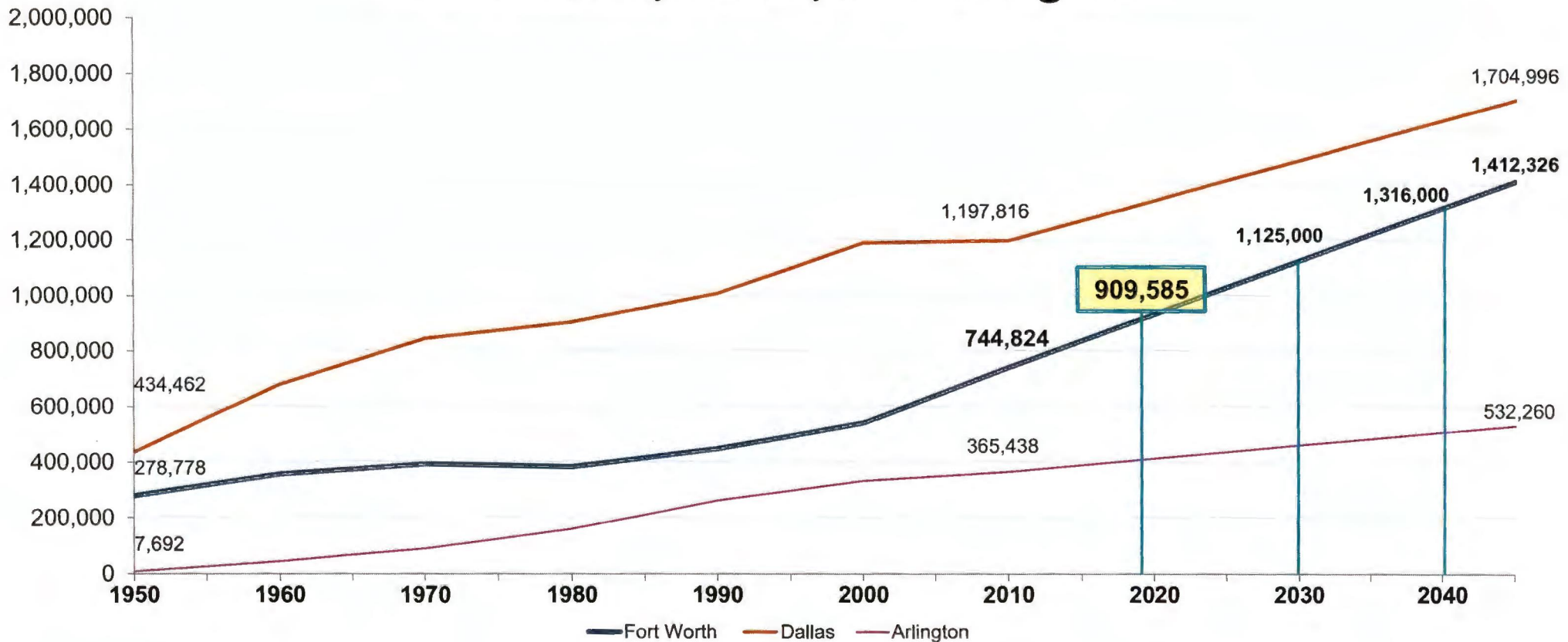


Why are we redistricting?

- To ensure that districts contain roughly **equal populations** as required by federal law.
- To create **two new districts**, as required by the City Charter, in view of Fort Worth's rapid growth.



Population Growth, 1950-2045: Fort Worth, Dallas, and Arlington



Sources: U.S. Census Bureau estimate for July 1, 2019; NCTCOG

Population by Council District, 2019

Citywide Total = 909,585

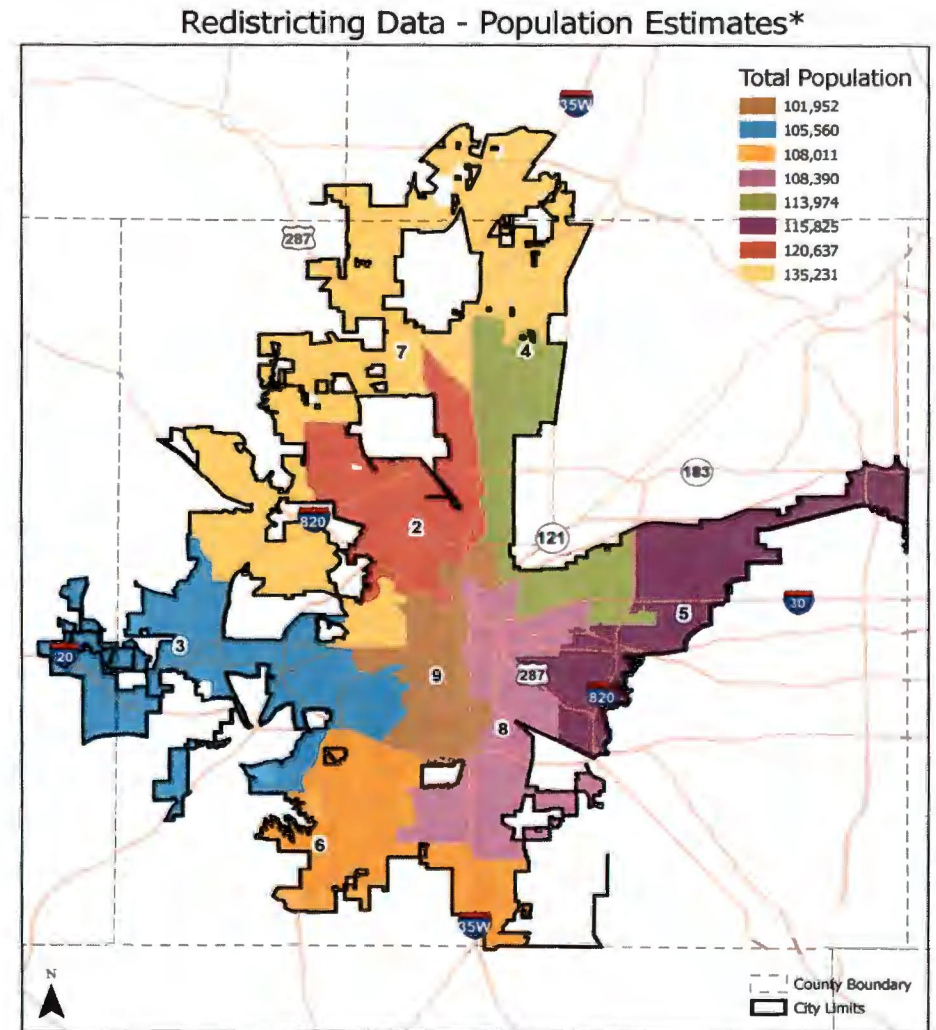
District Average = 113,698[†]

District 7 = 135,231 (16% **above** average)

District 9 = 101,952 (12% **below** average)

*Based on U.S. Census ACS 5-Year Estimates (2015-2019)

[†]Adjusted Values per Annual 2019 1-Year Estimates

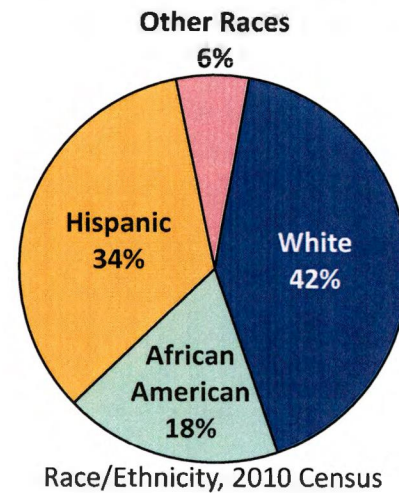


Three Broad Goals

1. Prevent **gerrymandering**



2. Provide best opportunities to elect Council members who reflect **Fort Worth's diverse population**



3. Promote **education and public participation**



Task Force Schedule, August – December 2020

Month	Activity
August	City Council adopts resolution appointing Redistricting Task Force.
September	Staff presents informational briefings . <ul style="list-style-type: none"> ○ Task force charge ○ Open Meetings Act training ○ Redistricting history and schedule ○ Legal basis for redistricting ○ Demonstration of redistricting software
October	Task force interviews representatives from Austin and San Antonio . Staff presents additional informational briefings . <ul style="list-style-type: none"> ○ Voting Rights Act ○ Local demographic trends
November	Staff provides task force with additional demographic data . Task force discusses preliminary findings . Task force discusses arrangements for Redistricting 101 seminar and public hearings .
December	Task force presents interim report to City Council.

Task Force Schedule, January – April 2021

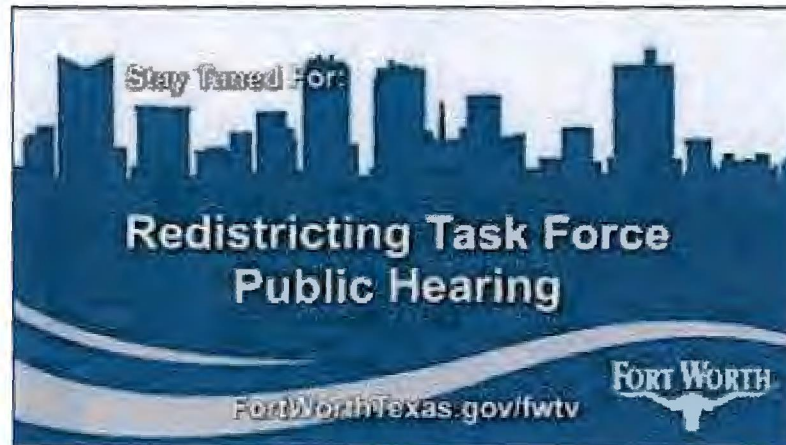
Month	Activity
January	Task force chair and staff present virtual Redistricting 101 seminar. Task force conducts series of three virtual public hearings .
February	Task force discusses comments from public hearings, agrees on final recommendations . Task force members review and comment on draft final report . Interested task force members submit minority report .
March	Tuesday, March 2, 3:00 p.m.: Task force presents final report to City Council. Tuesday, March 9, 7:00 p.m.: City Council authorizes contract with outside counsel . Outside counsel reviews and comments on proposed criteria and procedures.
April	Tuesday, April 6, 7:00 p.m.: City Council adopts resolution accepting final report and establishing criteria and procedures.

Public Participation in Task Force Activities

Event	Facebook Views	Webex Participants	Speakers	Written Statements
September 17 meeting	--	--	2	--
October 22 meeting	--	--	9	1
November 19 meeting	--	--	10	4
January 4 seminar	2,550	--	--	17
January 11 hearing	2,971	65	11	5
January 19 hearing	1,983	19	3	1
January 21 hearing	2,530	58	20	11

Most Common Themes Expressed in Public Comments

1. Desirability of creating an **independent redistricting commission**
2. Need for greater **public participation**
3. Need for greater **transparency**



Proposed Redistricting Criteria

High Priority: <u>Not</u> in any order of priority	
1.	Approximately equal size : Population of largest district \leq 10 percent more than population of smallest district
2.	Compliance with U.S. Constitution, Voting Rights Act, Texas Constitution, and other applicable laws , with no packing of minority voters, no fragmentation of minority communities, and no retrogression in ability of minorities to participate in electoral process
3.	Create minority opportunity districts , in compliance with federal law, to reflect growing diversity of City. Such districts -- in which African Americans, Hispanics, and other minorities collectively represent fifty percent or more of the voting-age population -- are intended to create opportunities for fair representation rather than to promote electoral outcomes. Electability is a function of many factors, including candidate qualifications, appeal to voters, voting-age population, voter registration, and voter participation as well as demographic characteristics.
4.	Contain communities of interest in single districts, with community of interest defined as “a local population with shared socio-economic characteristics and political institutions that would benefit from unified representation.” Communities of interest may include neighborhoods, groups of neighborhoods, school attendance zones, and similar geographic areas.
5.	Contiguous territory

Proposed Redistricting Criteria (continued)

Lower Priority: <u>Not</u> in any order of priority	
6.	Compact districts, with goal of Polsby-Popper ratio ≥ 0.050 . If any proposed district yields a compactness score that is less than 0.050, then a detailed justification must be stated.
7.	Identifiable geographic boundaries, such as streams, railroad tracks, and highways. To the extent possible, dwelling units that are located on opposite sides of the same residential street shall be assigned to the same district.
8.	Contain whole voting precincts
9.	Contain whole census blocks or block groups
10.	Do not consider place of residence of incumbents or potential candidates

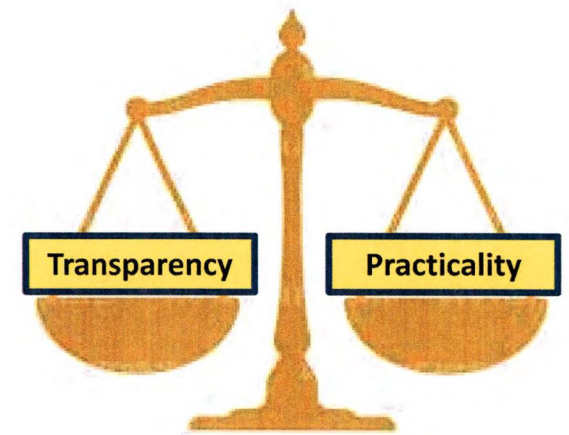
Why does a majority of the task force at this time favor the current procedure whereby elected officials draw the Council districts map?

- The City Council has already addressed the issue of an **independent redistricting commission** and has been clear about its intent **not** to create such a commission.
- The task force has **not analyzed** the pros and cons of an independent redistricting commission in any depth.
- This issue is too important to make a **hasty decision**.
- A **charter review task force** should study this issue carefully and make recommendations in advance of the 2030 census.



Why does a majority of the task force not support certain proposed restrictions on communications among City Council members?

- The majority of the task force recommends that the redistricting process be as **transparent** as possible, without being so restrictive that productive communications will become impractical.
- Certain proposed restrictions on written, electronic, and oral communications among City Council members would be **overly burdensome** and would not provide commensurate public benefits.



Proposed Redistricting Procedures

1. Registration for **communities of interest**
2. **Resident-produced** redistricting plans
3. Plans to be produced by **independent contractor**
4. Selection of **initial map** as starting point for further mapping
5. Rationale for **proposed changes** to initial map
6. Redistricting as a **single agenda item**
7. **Public hearings**
 - At least **one** hearing after City Council has received plans from residents, independent contractor, and staff, but **before** Council selects **initial map** as starting point for map drawing deliberations
 - At least **one** hearing **after** City Council has selected **initial map**, but before Council considers any changes to that map
 - At least **four** hearings **after** the City Council has produced a **proposed map**
8. **Transparency:** Any communications to occur in official meetings.
9. **Charter review** task force

Proposed Redistricting Schedule, April – September 2021

Month	Activity
April through September 2021	Staff provides software training for interested residents, using unofficial population estimates pending release of official population counts.
	Residents register communities of interest for redistricting purposes.
	City hires independent contractor to propose initial map in compliance with criteria.
May	City conducts 2021 election .
August	City Council and Redistricting Task Force members hold joint work session .
September 30	Census Bureau releases block-level census data for state and local redistricting.

Proposed Redistricting Schedule, October 2021 – May 2023

Month	Activity
October and November 2021	Residents and independent contractor prepare and submit redistricting plans to City staff. Staff assesses extent to which each plan meets adopted criteria and discusses its findings with pertinent residents. Staff prepares its own plan, drawing upon features of resident and contractor plans.
December	Staff briefs City Council about redistricting plans prepared by residents, contractor, and staff.
January 2022	City Council conducts at least one public hearing on redistricting plans.
	City Council selects initial map .
	City Council conducts at least one public hearing before considering any changes to initial map.
February and March	City Council produces proposed map .
April 2022	City Council conducts four or more public hearings , including one for each pair of existing adjacent districts, and adopts proposed map.
Mid-July 2022: 180 days before qualifying begins for May 2023 municipal election	Deadline for candidates to establish residency within Council districts that they wish to represent.
Mid-January to mid-February 2023	Candidates file for places on 2023 municipal election ballot.
May 2023	City conducts 2023 election .

Minority Report

- Independent Redistricting Commission
- Transparency
- Criteria Adjustments



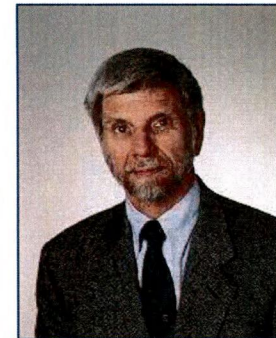
Independent Redistricting Commission

(Ayala, Bradshaw, Espino, Schur, and Scott)

After the May 2021 election and the June 2021 runoff, by ordinance or resolution, create an **Independent Redistricting Commission** to manage the process of remapping Fort Worth City Council districts before the May 2023 City Council election, with the final redistricting map subject to City Council approval by ordinance.

According to Texas redistricting expert **Steve Bickerstaff** (1946-2019), an independent redistricting commission is more likely to:

- Choose **unbiased staff** based on merit,
- Make **decisions** based on redistricting criteria alone,
- React responsibly and openly to **public comment**,
- Be **transparent** in its decision-making, and
- Hear **witness testimony** and legal advice.



“Therefore, it is not surprising that **independent city commissions** have generally won public plaudits.”

Transparency

(Ayala, Bradshaw, Espino, and Schur)

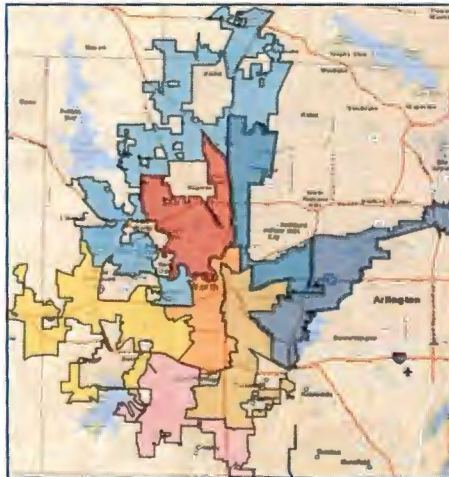
- All **written and electronic communications** between the Mayor and Council members with City staff and any contractor(s) retained by the City to propose initial redistricting maps or map changes shall be recorded and preserved as **public records** and made available to the members of the public on request.
- All **oral communications** between the Mayor and Council members with City staff and any contractor(s) retained by the City relating to proposed initial redistricting maps or map changes shall be **documented**, and such documented communications shall be recorded and preserved as **public records** and made available to the public on request.
- All communications between two or more Council Members relating to the choice of the **initial redistricting map** that will serve as a starting point for map drawing deliberations, and all communications between two or more Council Members relating to proposed **changes** to the initial map, shall occur at **public map drawing meetings** with computer screens visible to all parties.

Criteria Adjustments

- **Reclassify Criteria** (Espino and Schur)
 - ✓ **Highest-priority criteria:** Approximately equal size and legal compliance.
 - ✓ **Additional high-priority criteria:** Minority opportunity districts, communities of interest, and contiguous territory.
 - ✓ **Lower-priority criteria:** Compactness, identifiable geographic boundaries, census blocks and block groups, and places of residence.
- **Minority Opportunity Districts** (Espino and Schur)
 - ✓ Make expressly **subject to highest-priority requirements** of approximately equal size and legal compliance.
 - ✓ Add the word "**meaningful**" to state the purpose as being "...intended to create meaningful opportunities for fair representation rather than to promote electoral outcomes."
- **Compactness Measures** (Bradshaw): Do **not** use Polsby-Popper ratio as the only measure of compactness.
- **Voting precincts** (Espino and Schur): **Delete** this criterion.

Next Steps

- Tuesday, March 9, 7:00 p.m.: City Council authorizes contract with **outside counsel**, which shall review and comment on proposed criteria and procedures.
- Tuesday, April 6, 7:00 p.m.: City Council adopts **resolution** accepting final report and establishing criteria and procedures.





Questions?

