

Section 5.13 Redistricting commission.

(1) Not later than 30 days after the city council is briefed on the federal decennial census taken in the prior year, 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 city council and the mayor 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.

(2) 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. 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.

(3) The redistricting commission shall draw the districts in compliance with the following guidelines:

(A) 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.

(B) 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.

(C) The districts shall be geographically compact to the extent possible, and composed of contiguous territory.

(D) The reconfiguration of districts shall be neutral as to incumbents or potential candidates.

(E) 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.

(F) The redistricting commission may adopt any other requirements of federal or state law.

(4) The redistricting commission shall promptly convene in such sessions as are necessary, including public hearings, to develop, prepare, and recommend a districting plan that proposes the respective boundaries of the various districts comprising the city council under this Charter.

(5) 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. 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. If a redistricting commission member engages in a prohibited discussion or violates the Texas Open Meetings Act, the redistricting commission may, by majority vote, remove the commissioner from the redistricting commission.

(6) Upon completion of its work, the redistricting commission shall file its recommended districting plan with the mayor. The mayor shall present the recommended plan to the city council at its next meeting. The city council shall adopt the plan as submitted or shall modify and adopt the plan, in either case within 45 days of receipt by the mayor. Any modification or change to the plan must be made in open session at a city council meeting, with a written explanation of the need for the modification or change and a copy of the proposed map with the modification or change made available to the public 72 hours before a vote, and the proposed plan must be approved by a vote of three-fourths of the members of the city council. If final action is not taken by the city council within 45 days after the plan was presented to the mayor, then the recommended plan of the redistricting commission will become the final districting plan for the city.

(7) The districting plan developed in accordance with this section must 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.