

Barton Springs Edwards Aquifer Conservation District

2016 Redistricting: Illustrative Plans

PRESENTED BY: BILL DUGAT

BICKERSTAFF HEATH DELGADO ACOSTA LLP

Redistricting in 2016

- Annexation of territory in Hays County.
- Annexation of territory by the City of Austin

Federal Redistricting Legal Principles

One Person – One Vote.

Voting Rights Act § 2 (nondiscrimination).

Restrictions on Race-Base Redistricting *Shaw v. Reno* cases
(limited use of race).

One Person – One Vote Requirement

Constitutional principle applies to most single member districts.

Exception for special purpose governmental entities, exercising narrow governmental functions, and operating to the burden or benefit of one group of constituents more than others. *Salyer Land Co. v. Tulare Lake Basin Water Storage District*, 410 U.S. 719, 728 (1973).

While not a safe harbor, generally will meet constitutional requirements if they have no more than a 10 percent deviation.

Requirements Under Voting Rights Act of 1965

Section 2 Coverage – Applicable nationwide.

- Creates cause of action for violation of electoral rights.

Section 2 standard is discrimination.

- Avoid “cracking” and “packing”.

Shaw v. Reno – race may not be predominant; race must “narrowly tailor” to accomplish a “compelling state interest.”

- Limits race as predominant basis for redistricting.

State Law and Background Information

HB 3405 – adds “Shared Territory”

- Requires Board to revise single-member districts in conformance with Section 8802.053.

Section 8802.053

- 5 precincts
- 2 within City of Austin

Water Code Section 36.059(b):

If any part of a municipal corporation is part of one precinct, then *no part* of the *municipal corporation* shall be *included in another precinct*, except that a *municipal corporation* having a population of *more than 200,000* may be divided between *two or more precincts*. In a *multicounty district*, *not more than two* of the five precincts may include the *same municipal corporation* or part of the same municipal corporation.

Redistricting Criteria

THE STATE OF TEXAS

THE COUNTY OF TARRANT

BARTON SPRING

FOR

WHEREAS, the Texas
2015, that added a portion
revise its single-member

WHEREAS, this Board
and state law including
Constitution, U.S.C.A.
59 of the Texas Consti
Special District Local
2058.002; and

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NOW, THEREFORE, I
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greatest extent possible

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the District, in its adoption of a redistricting plan for director precincts, will adhere to the following criteria to the greatest extent possible when drawing precinct boundaries:

1. Where possible, easily identifiable geographic boundaries should be followed.
2. Communities of interest should be maintained in a single director precinct, where possible, and attempts should be made to avoid splitting neighborhoods.
3. To the extent possible, director precincts should be composed of whole voting precincts. Where this is not possible or practicable, director precincts 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 director precincts will have to be altered to reflect new population distribution, any districting plan should, to the extent possible, be based on existing director precincts.
5. Director precincts must be configured so that they are relatively equal in total population according to the 2010 federal Census and comply with § 8802.053 of the Texas Special District Local Laws Code and § 36.059(b) of the Texas Water Code. Population equality is to be measured within the category of precinct (*i.e.*, City of Austin or Suburban/Rural/Shared Territory to which each director precinct belongs).
6. The director precincts should be compact and composed of contiguous territory. Compactness may contain a functional, as well as a geographical dimension.
7. 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.
8. 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, 52 U.S.C. § 10301.

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Act, 52 U.S.C. § 10301.

criteria and will evaluate how well

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the Board of Directors.

RINGS/EDWARDS AQUIFER
ION DISTRICT


resident

Redistricting Guidelines

THE STATE OF TEXAS

THE COUNTY OF TRAVIS

GUIDELINES
SPECIAL

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WHEREAS, the Barton Sp
responsibilities for redistricting
Amendments 14 and 15 to the
Voting Rights Act, 52 U.S.C.
Tex. Water Code Ann. § 36.01
Local Laws Code Ann.; and Te

WHEREAS, it is necessary
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WHEREAS, these guidelines
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NOW, THEREFORE, BE IT
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Board hereby sets the follow
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NOW, THEREFORE, BE IT RESOLVED, that in order to make sure that any plan that might be submitted is of maximum assistance to the Board in its decision making process, the Board hereby sets the following guidelines to be followed by each person submitting a redistricting plan for consideration:

1. Proposed plans must be submitted in writing and be legible. 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 Board wants to be sure that all proposals are fully and accurately considered.
2. Any plan must show the total population and voting age population for Blacks, Hispanics, Asians, and Anglo/other for each proposed precinct based on the 2010 Census data. If a plan is submitted without a population breakdown, the Board may not have sufficient information to give it full consideration.
3. Plans should redistrict the entire District. The Board, of course, will be considering the effect of any plan on the entire District. Also, the Board is subject to Section 2 of the Voting Rights Act, which protects various racial and language minorities. Thus, as a matter of federal law, the Board will be required to consider the effect of any proposal on multiple racial and ethnic

groups. If a plan does not redistrict the entire District, it may be impossible for the Board to assess its impact on one or more protected minority groups.

4. Plans should conform to the criteria the Board will be using in drawing the precincts.
5. Persons providing comments and those submitting proposed plans must identify themselves by full name and home address and provide a phone number and, if available, an email address. The Board may wish to follow up on such comments or obtain additional information about submitted plans.
6. All comments and proposed plans must be submitted to the Board's Secretary, Blayne Stansberry, by the close of the public hearing.

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WARDS AQUIFER
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Illustrative Plans for Director Precincts 1, 2, & 3

Barton Springs Edwards Aquifer Conservation District
Draft Plan A for Precincts 1, 2, and 3

Legend
 ■ Current Directors
 Cities in Hays County
 □ Buda
 □ Kyle
 □ San Marcos
 Director Precincts
 1 2 3

Scale: 0 1.25 2.5 5 Miles
 Coordinate System: GCS North American 1983;
 Datum: North American 1983; Created: 11/13/2015

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 Data Source: Roads, Water and other features obtained from the 2010 Tiger/line files, U.S. Census Bureau
 Background Image: ESRI Open Street Map

Barton Springs Edwards Aquifer Conservation District

Draft Plan A

Summary 2010 Census Total and Voting Age Population

Precinct	Persons	Deviation	Hispanic % of Total Population	Non-Hispanic Anglo % of Total Population	Non-Hispanic Black % of Total Population	Non-Hispanic Asian % of Total Population	Non-Hispanic Other % of Total Population
1	47,047	16.38%	37.73%	53.86%	4.93%	1.44%	2.03%
2	36,932	-8.64%	33.01%	62.03%	2.14%	1.11%	1.71%
3	37,296	-7.74%	54.35%	39.40%	3.91%	0.73%	1.58%
Totals	121,275		41.41%	51.90%	3.77%	1.12%	1.79%

Ideal Size = $121,275 / 3 = 40,425$ per precinct.

Total Maximum Deviation = $16.38\% - (-8.64\%) = 25.02\%$

Some percentages may be subject to rounding error.

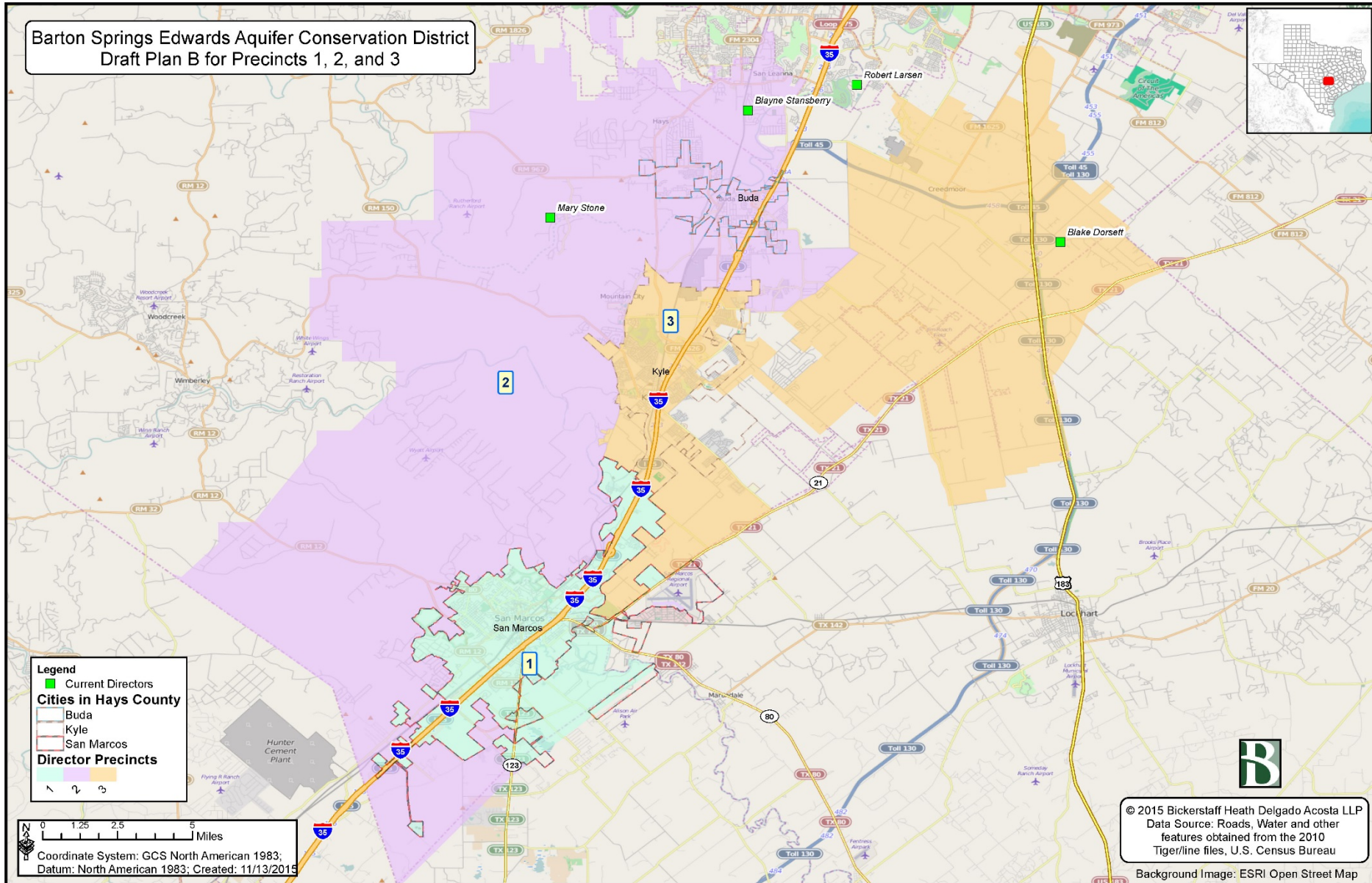
Precinct	Total VAP*		Hispanic % of Total VAP	Non-Hispanic Anglo % of Total VAP	Non-Hispanic Black % of Total VAP	Non-Hispanic Asian % of Total VAP	Non-Hispanic Other % of Total VAP
1	40,137		33.59%	58.15%	4.88%	1.52%	1.86%
2	27,343		28.94%	66.34%	2.12%	1.09%	1.45%
3	24,864		49.65%	43.98%	4.23%	0.86%	1.30%
Totals	92,344		36.54%	56.76%	3.89%	1.22%	1.59%

This plan contains one split Census block (482090109021003)

*Voting Age Population

Some percentages may be subject to rounding error.

Barton Springs Edwards Aquifer Conservation District Draft Plan B for Precincts 1, 2, and 3



Barton Springs Edwards Aquifer Conservation District

Draft Plan B

Summary 2010 Census Total and Voting Age Population

Precinct	Persons	Deviation	Hispanic % of Total Population	Non-Hispanic Anglo % of Total Population	Non-Hispanic Black % of Total Population	Non-Hispanic Asian % of Total Population	Non-Hispanic Other % of Total Population
1	45,707	13.07%	37.99%	53.55%	4.95%	1.47%	2.04%
2	38,272	-5.33%	32.87%	62.11%	2.22%	1.09%	1.70%
3	37,296	-7.74%	54.35%	39.40%	3.91%	0.73%	1.58%
Totals	121,275		41.41%	51.90%	3.77%	1.12%	1.79%

Ideal Size = 121,275 / 3 = 40,425 per precinct.

Total Maximum Deviation = 13.07% - (-7.74%) = 20.81%

Some percentages may be subject to rounding error.

Precinct	Total VAP*		Hispanic % of Total VAP	Non-Hispanic Anglo % of Total VAP	Non-Hispanic Black % of Total VAP	Non-Hispanic Asian % of Total VAP	Non-Hispanic Other % of Total VAP
1	39,173		33.79%	57.91%	4.89%	1.54%	1.87%
2	28,307		28.83%	66.38%	2.21%	1.08%	1.44%
3	24,864		49.65%	43.98%	4.23%	0.86%	1.30%
Totals	92,344		36.54%	56.76%	3.89%	1.22%	1.59%

*Voting Age Population

Some percentages may be subject to rounding error.



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Data Source: Roads, Water and other
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Background Image: ESRI Open Street Map

Barton Springs Edwards Aquifer Conservation District

Draft Plan C REVISED for Precincts 1, 2, and 3

Summary 2010 Census Total and Voting Age Population

Precinct	Persons	Deviation	Hispanic % of Total Population	Non-Hispanic Anglo % of Total Population	Non-Hispanic Black % of Total Population	Non-Hispanic Asian % of Total Population	Non-Hispanic Other % of Total Population
1	21,461	-46.91%	23.37%	72.18%	1.85%	1.02%	1.57%
2	83,700	107.05%	40.92%	51.35%	4.46%	1.27%	1.98%
3	16,114	-60.14%	67.95%	27.74%	2.70%	0.48%	1.12%
Totals	121,275		41.41%	51.90%	3.77%	1.12%	1.79%

Ideal Size = 121,275 / 3 = 40,425 per precinct.

Total Maximum Deviation = 107.05% - (-60.14%) = 167.19%

Some percentages may be subject to rounding error.

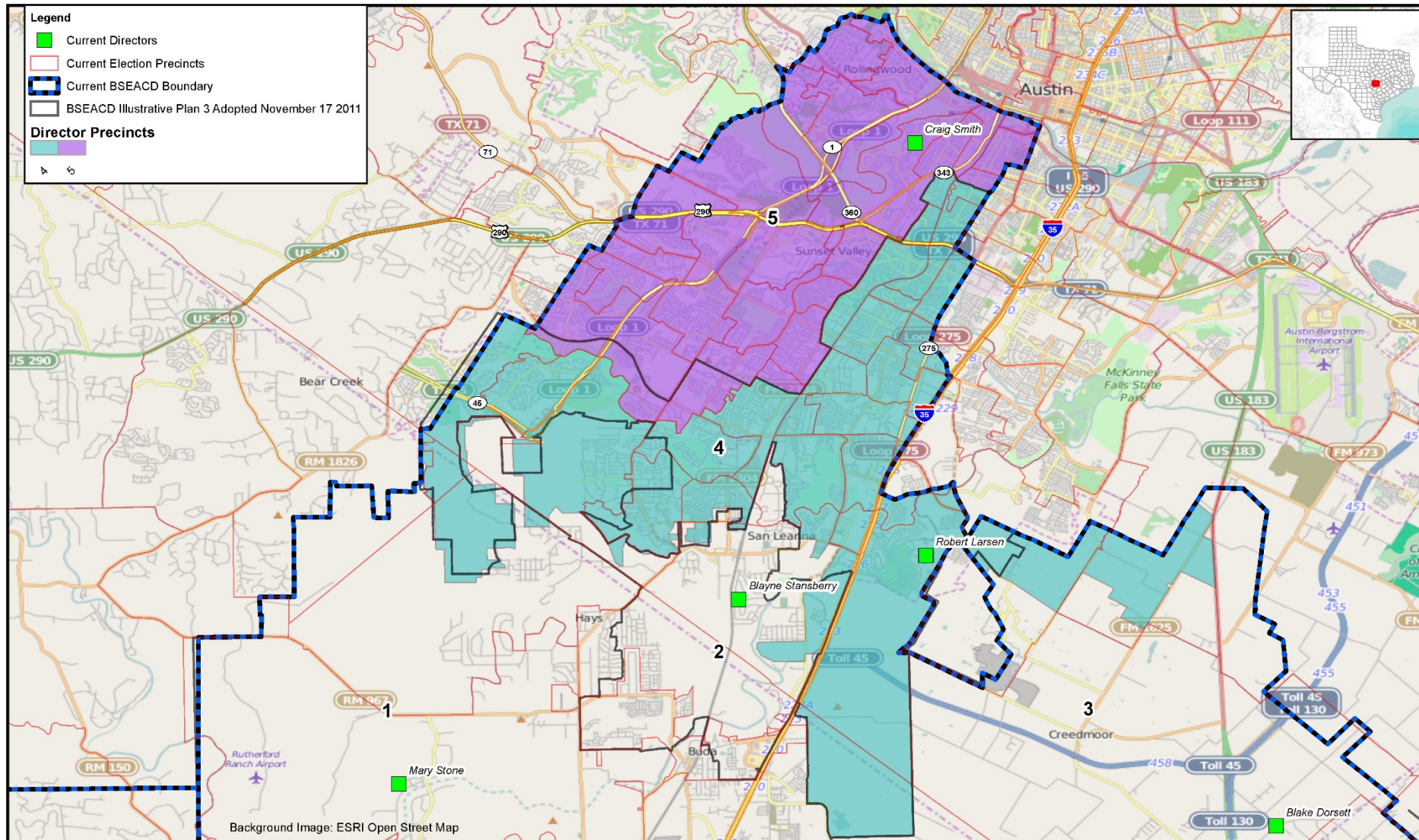
Precinct	Total VAP*		Hispanic % of Total VAP	Non-Hispanic Anglo % of Total VAP	Non-Hispanic Black % of Total VAP	Non-Hispanic Asian % of Total VAP	Non-Hispanic Other % of Total VAP
1	16,338		20.35%	75.58%	1.79%	0.95%	1.33%
2	65,265		36.41%	55.85%	4.58%	1.40%	1.74%
3	10,741		61.95%	33.62%	2.87%	0.50%	1.05%
Totals	92,344		36.54%	56.76%	3.89%	1.22%	1.59%

[Slight modifications made March 9, 2016]

*Voting Age Population

Some percentages may be subject to rounding error.

Illustrative Plans for Director Precincts 4 & 5



0 1.25 2.5 5 Miles
 Coordinate System: GCS North American 1983;
 Datum: North American 1983; Created: 11/13/2015

Barton Springs Edwards Aquifer Conservation District Draft Plan A for Director Precincts 4 and 5

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 Data Source: Roads, Water and other
 features obtained from the 2010
 Tiger/line files, U.S. Census Bureau



Barton Springs Edwards Aquifer Conservation District

Draft Plan A for Precincts 4 and 5

Summary 2010 Census Total and Voting Age Population

Precinct	Persons	Deviation	Hispanic % of Total Population	Non-Hispanic Anglo % of Total Population	Non-Hispanic Black % of Total Population	Non-Hispanic Asian % of Total Population	Non-Hispanic Other % of Total Population
4	92,703	0.56%	38.40%	51.61%	4.30%	3.56%	2.15%
5	91,663	-0.56%	21.34%	68.63%	2.91%	4.68%	2.44%
Totals	184,366		29.92%	60.07%	3.61%	4.11%	2.29%

Ideal Size = 184,366 / 5 = 92,183 per precinct.

Total Maximum Deviation = .56% - (-.56%) = 1.13%

Some percentages may be subject to rounding error.

Precinct	Total VAP*		Hispanic % of Total VAP	Non-Hispanic Anglo % of Total VAP	Non-Hispanic Black % of Total VAP	Non-Hispanic Asian % of Total VAP	Non-Hispanic Other % of Total VAP
4	70,559		34.43%	56.19%	4.21%	3.44%	1.75%
5	73,620		19.08%	71.69%	2.74%	4.52%	1.97%
Totals	144,179		26.59%	64.11%	3.46%	3.99%	1.87%

*Voting Age Population

Some percentages may be subject to rounding error.

Barton Springs Edwards Aquifer Conservation District

Draft Plan B for Precincts 4 and 5

Summary 2010 Census Total and Voting Age Population

Precinct	Persons	Deviation	Hispanic % of Total Population	Non-Hispanic Anglo % of Total Population	Non-Hispanic Black % of Total Population	Non-Hispanic Asian % of Total Population	Non-Hispanic Other % of Total Population
4	89,433	-2.98%	37.62%	52.10%	4.32%	3.80%	2.17%
5	94,933	2.98%	22.66%	67.58%	2.94%	4.41%	2.41%
Totals	184,366		29.92%	60.07%	3.61%	4.11%	2.29%

Ideal Size = 184,366 / 5 = 92,183 per precinct.

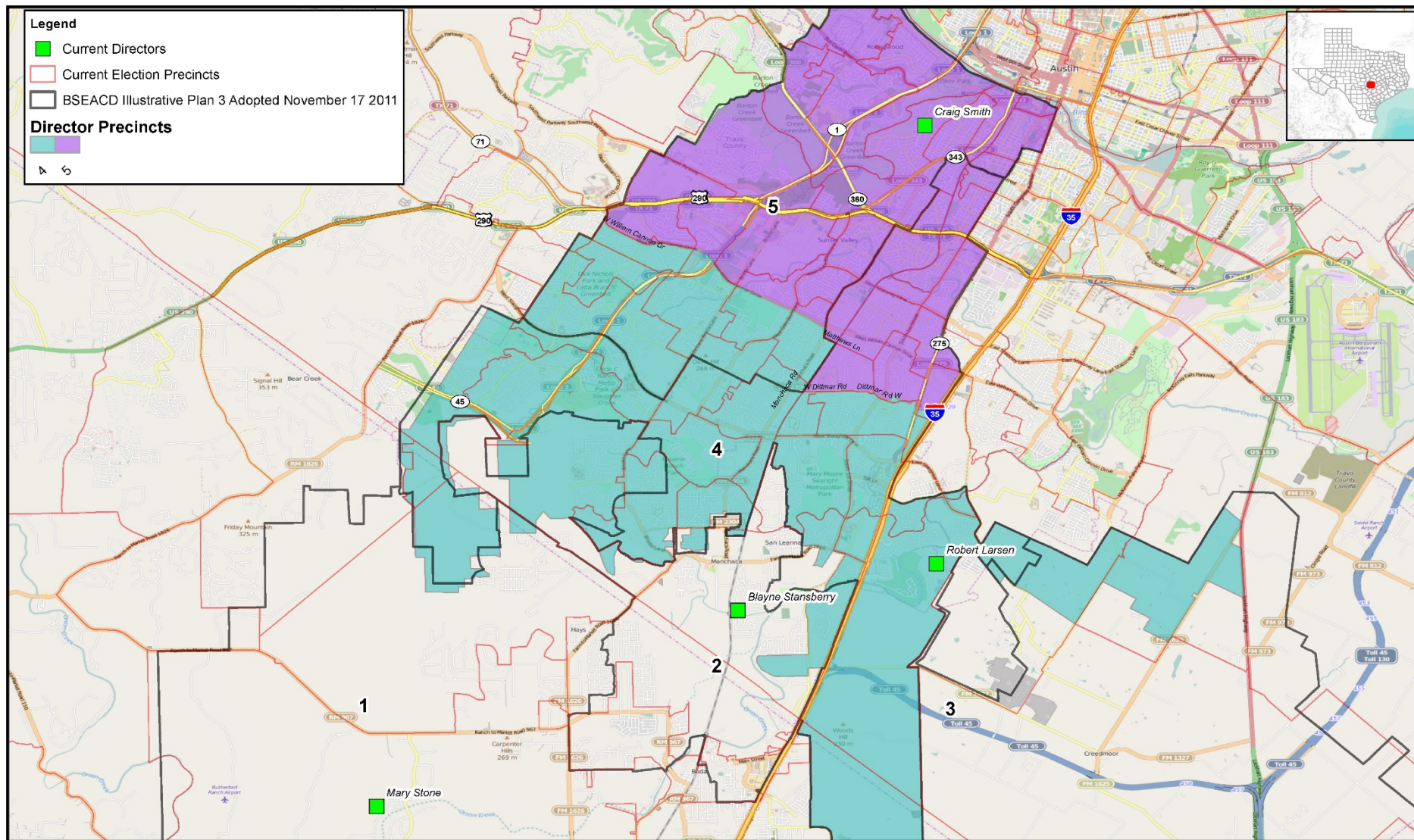
Total Maximum Deviation = 2.98% - (-2.98%) = 5.97%

Some percentages may be subject to rounding error.

Precinct	Total VAP*		Hispanic % of Total VAP	Non-Hispanic Anglo % of Total VAP	Non-Hispanic Black % of Total VAP	Non-Hispanic Asian % of Total VAP	Non-Hispanic Other % of Total VAP
4	67,592		33.92%	56.39%	4.28%	3.69%	1.74%
5	76,587		20.12%	70.92%	2.74%	4.25%	1.98%
Totals	144,179		26.59%	64.11%	3.46%	3.99%	1.87%

*Voting Age Population

Some percentages may be subject to rounding error.



0 1 2 4 Miles
 Coordinate System: GCS North American 1983;
 Datum: North American 1983; Created: 1/29/2016
 Background Image: ESRI Open Street Map

Barton Springs Edwards Aquifer Conservation District Draft Plan C for Director Precincts 4 and 5

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 Data Source: Roads, Water and other
 features obtained from the 2010
 Tiger/line files, U.S. Census Bureau



Barton Springs Edwards Aquifer Conservation District

Draft Plan C for Precincts 4 and 5

Summary 2010 Census Total and Voting Age Population

Precinct	Persons	Deviation	Hispanic % of Total Population	Non-Hispanic Anglo % of Total Population	Non-Hispanic Black % of Total Population	Non-Hispanic Asian % of Total Population	Non-Hispanic Other % of Total Population
4	95,511	3.61%	28.88%	59.93%	3.95%	4.93%	2.33%
5	88,855	-3.61%	31.04%	60.23%	3.24%	3.24%	2.26%
Totals	184,366		29.92%	60.07%	3.61%	4.11%	2.29%

Ideal Size = $184,366 / 5 = 92,183$ per precinct.

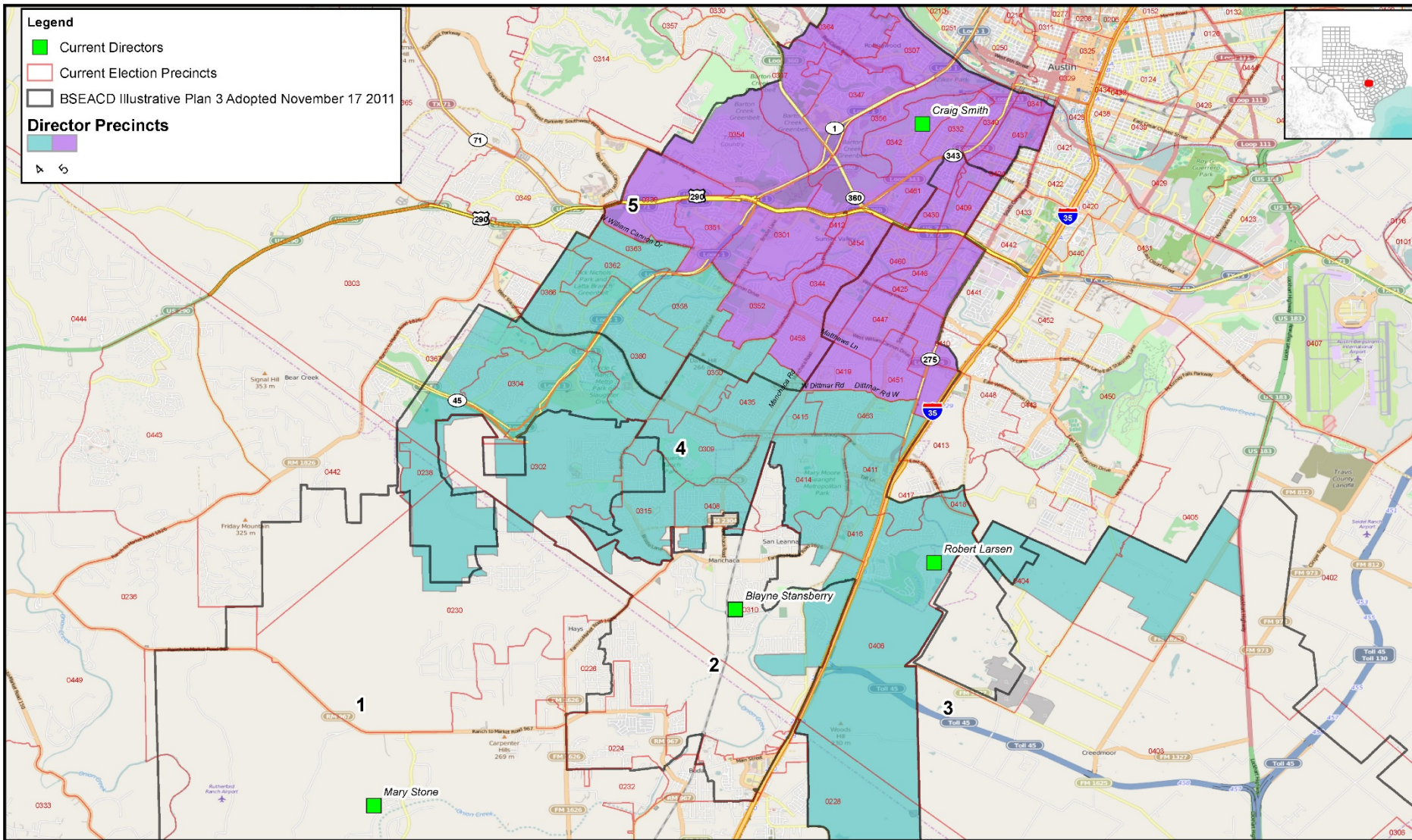
Total Maximum Deviation = $3.61\% - (-3.61\%) = 7.22\%$

Some percentages may be subject to rounding error.

Precinct	Total VAP*		Hispanic % of Total VAP	Non-Hispanic Anglo % of Total VAP	Non-Hispanic Black % of Total VAP	Non-Hispanic Asian % of Total VAP	Non-Hispanic Other % of Total VAP
4	72,115		25.85%	63.66%	3.94%	4.77%	1.80%
5	72,064		27.33%	64.56%	2.98%	3.21%	1.93%
Totals	144,179		26.59%	64.11%	3.46%	3.99%	1.87%

*Voting Age Population

Some percentages may be subject to rounding error.



Barton Springs Edwards Aquifer Conservation District Draft Plan D for Director Precincts 4 and 5

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 features obtained from the 2010
 Tiger/line files, U.S. Census Bureau



Barton Springs Edwards Aquifer Conservation District

Draft Plan D

Summary 2010 Census Total and Voting Age Population

Precinct	Persons	Deviation	Hispanic % of Total Population	Non-Hispanic Anglo % of Total Population	Non-Hispanic Black % of Total Population	Non-Hispanic Asian % of Total Population	Non-Hispanic Other % of Total Population
4	89,121	-3.32%	28.72%	59.98%	3.85%	5.12%	2.34%
5	95,245	3.32%	31.04%	60.16%	3.37%	3.18%	2.25%
Totals	184,366		29.92%	60.07%	3.61%	4.11%	2.29%

Ideal Size = 184,366 / 5 = 92,183 per precinct.

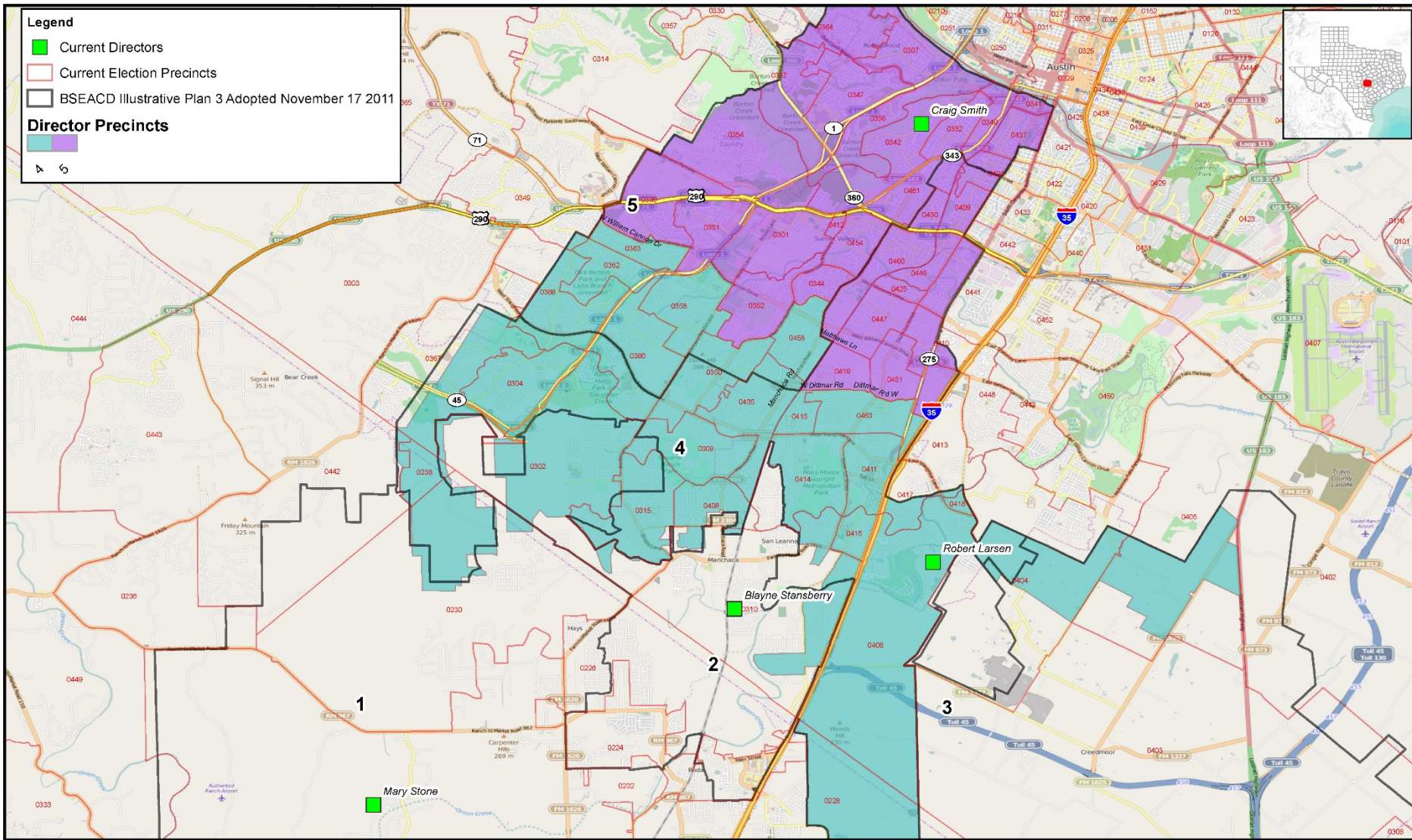
Total Maximum Deviation = 3.32% - (-3.32%) = 6.64%

Some percentages may be subject to rounding error.

Precinct	Total VAP*		Hispanic % of Total VAP	Non-Hispanic Anglo % of Total VAP	Non-Hispanic Black % of Total VAP	Non-Hispanic Asian % of Total VAP	Non-Hispanic Other % of Total VAP
4	66,896		25.74%	63.65%	3.87%	4.97%	1.79%
5	77,283		27.32%	64.50%	3.11%	3.14%	1.93%
Totals	144,179		26.59%	64.11%	3.46%	3.99%	1.87%

*Voting Age Population

Some percentages may be subject to rounding error.



0 1 2 4 Miles
 Coordinate System: GCS North American 1983;
 Datum: North American 1983; Created: 2/3/2016
 Background Image: ESRI Open Street Map

Barton Springs Edwards Aquifer Conservation District **Draft Plan E for Director Precincts 4 and 5**

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 Data Source: Roads, Water and other
 features obtained from the 2010
 Tiger/line files, U.S. Census Bureau



Barton Springs Edwards Aquifer Conservation District

Draft Plan E

Summary 2010 Census Total and Voting Age Population

Precinct	Persons	Deviation	Hispanic % of Total Population	Non-Hispanic Anglo % of Total Population	Non-Hispanic Black % of Total Population	Non-Hispanic Asian % of Total Population	Non-Hispanic Other % of Total Population
4	93,985	1.95%	28.85%	59.88%	3.97%	4.97%	2.35%
5	90,381	-1.95%	31.03%	60.28%	3.23%	3.23%	2.24%
Totals	184,366		29.92%	60.07%	3.61%	4.11%	2.29%

Ideal Size = 184,366 / 5 = 92,183 per precinct.

Total Maximum Deviation = 1.95% - (-1.95%) = 3.91%

Some percentages may be subject to rounding error.

Precinct	Total VAP*		Hispanic % of Total VAP	Non-Hispanic Anglo % of Total VAP	Non-Hispanic Black % of Total VAP	Non-Hispanic Asian % of Total VAP	Non-Hispanic Other % of Total VAP
4	70,879		25.81%	63.62%	3.97%	4.81%	1.81%
5	73,300		27.34%	64.58%	2.97%	3.19%	1.92%
Totals	144,179		26.59%	64.11%	3.46%	3.99%	1.87%

*Voting Age Population

Some percentages may be subject to rounding error.

Time Line for Redistricting

April 14, 2016

Board Meeting:

Review Draft
Plans

Designate
Illustrative Plans

Set Date for Public
Hearing:
April 28, 2016

Deadline for
Public Comment:
May 9, 2016

April 28, 2016

Board Meeting:

Public Hearing
on Illustrative
Plans

May 9, 2016

Deadline for
Written
Comments on
Illustrative Plans

May 12, 2016

Board Meeting:

Review Written
Comments

Consider any
Changes to the
Plans

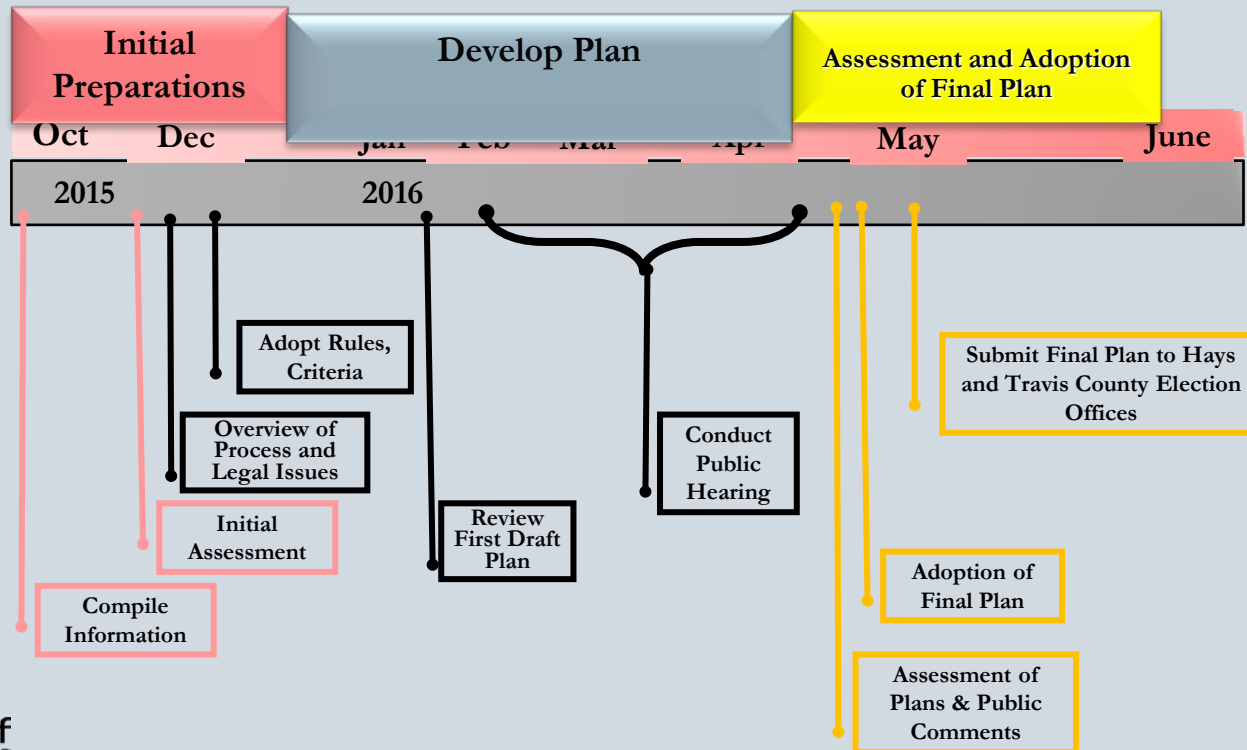
Consider
Adoption

May 26, 2016

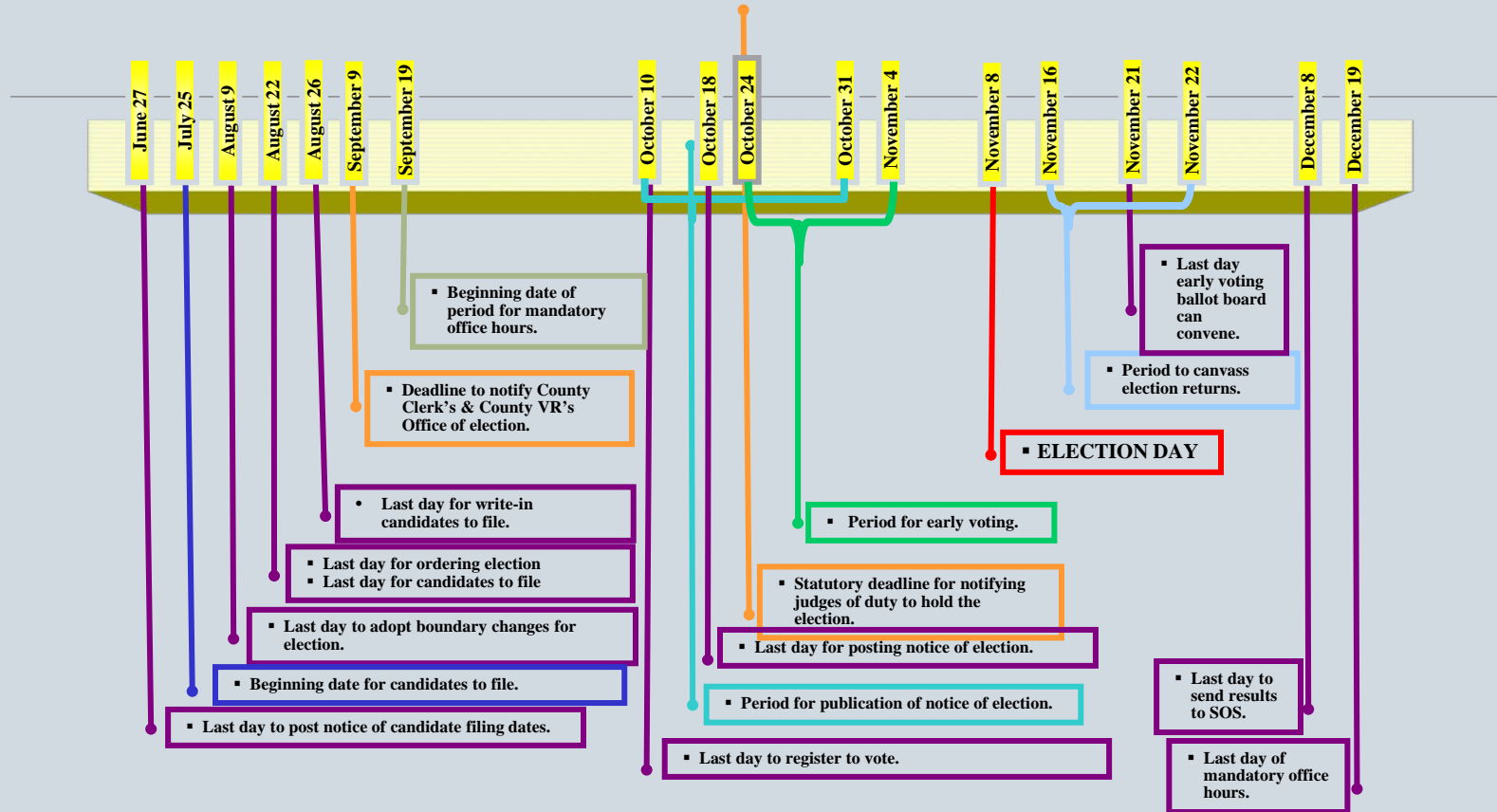
Adopt Plan if not
adopted on
May 12, 2016

Barton Springs Edwards Aquifer Conservation District

Proposed 2016 Timeline for Redistricting



Timeline for General Election Process November 8, 2016



3711 S. MoPac Exp., Building One, Suite 300
Austin, Texas 78746
800-749-6646 512-472-8021