

Duncanville City Council Meeting Minutes

Special Meeting

Tuesday, November 30, 2021

CALL TO ORDER

A special meeting of the Duncanville City Council was called to order on Tuesday, November 30, 2021, at 6:00 p.m. in the Council Briefing Room at City Hall with a quorum to wit:

COUNCIL PRESENT: Mayor Barry L. Gordon
Councilmember Joe Veracruz
Councilmember Don McBurnett
Councilmember Jeremy Koontz
Councilmember Mark D. Cooks
Councilmember Greg Contreras

COUNCIL ABSENT: Mayor Pro Tem Patrick Harvey

SUPPLEMENTAL NOTICE OF MEETING BY VIDEO CONFERENCE

In accordance with an Order of the Office of the Governor issued on March 16, 2020, as extended, the City Council for the City of Duncanville, Texas will conduct a City Council Special Meeting in person and by video conference at 6:00 pm on Tuesday, November 30, 2021, in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") in an effort to slow the spread of the Coronavirus (COVID-19) pandemic.

This is an open meeting conducted by in person and video conference.

Due to limited seating in council chambers, persons or participants may attend by video conference in order to maintain safe social distance as provided in this notice.

To speak by video conference during Citizen Comments, you must register with the City Secretary before 4 pm on Tuesday, November 30, 2021, email citysecretary@duncanville.com and title the email. "Public Comment – November 30th. You will need to register with the link below to attend the meeting by video conference. During the Citizen Comments period of the agenda, the City Secretary will call your name and allow access to your camera and microphone. Feel free to email your citizen comment to the City Secretary when registering for the Mayor to read into the record if any unexpected technical issues arise.

Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_xFjVZ9WJRsymNWDtwcGclg

After registering, you will receive a confirmation email containing information about joining the webinar.

A recording of the video meeting will be made available to the public in accordance with the Open Meetings Act upon written request.

1. CITIZENS' INPUT

"Pursuant to Section 551.007 of the Texas Gov't Code, any member of the public has the opportunity to address the City Council concerning any matter of public business or any posted agenda item; however, the Act prohibits the City Council from deliberating any issues not on the public agenda and such non-agenda issues may be referred to City staff for research and any future action; all persons addressing are subject to council adopted rules and limitations permitted by law"

At this time, two-minute comments will be taken from the audience on any topic. To address the Council, please submit a fully-completed request card to the City Secretary prior to the beginning of the Citizens' Input portion of the Council meeting. In accordance with the Texas Open Meetings Act, the City Council cannot discuss issues raised or make any decisions at this time. Issues may be referred to City Staff for research and possible future action.

To speak by video conference during Citizen Comments, you must register with the City Secretary before 4 pm on Tuesday, November 30, 2021, email citysecretary@duncanville.com and title the email. "Public Comment – November 30th. You will need to register with the link below to attend the meeting by video conference. During the Citizen Comments period of the agenda, the City Secretary will call your name and allow access to your camera and microphone. Feel free to email your citizen

comment to the City Secretary when registering for the Mayor to read into the record if any unexpected technical issues arise.

The City Secretary will still set a two-minute time limit on the comments as they are read.

No comments.

2. **REGULAR SESSION**

A. **Discussion on Redistricting and the City’s legal obligations and adoption of redistricting principals and guidelines.**

Joshua Katz, Bickerstaff Heath Delgado Acosta LLP presented the item.

REDISTRICTING
Applicable Law
Three Principles, plus

“One person – one vote”
(equal population)

Voting Rights Act § 2
(nondiscrimination)

Shaw v. Reno
(limits use of race)

Plus, as diagnostic tool:
Voting Rights Act § 5
(retrogression)

Redistricting
One Person - One Vote

- **U.S. Constitution – single-member districts**
must have *approximately equal populations*
- **Rule of thumb: **total deviation < 10%****
 - **Compare most populous and least populous districts to “ideal”–sized district**
 - **Add both departures from ideal together**

District	Ideal district	District total pop.	Difference	Deviation
A	10,000	11,000	1000	+ 10.0 percent
B	10,000	10,750	750	+ 7.5 percent
C	10,000	10,250	250	+ 2.5 percent
D	10,000	8,000	- 2000	- 20.0 percent
Totals:	40,000	40,000	net= 0	net= 0 percent

Total maximum deviation = difference between most populous and least populous districts = 10 percent + 20 percent = 30 percent.

Example Deviation Calculation

Section 2 of the Voting Rights Act

- No discrimination on basis of race or language minority status
- Generally, avoid *cracking or packing*
- *Cracking or fracturing* is dividing minority voters to fragment their voting power.
- *Packing* is concentrating minority voters when dividing them would permit the group to elect their candidates of choice in more than one district
- Other practices can also violate Section 2

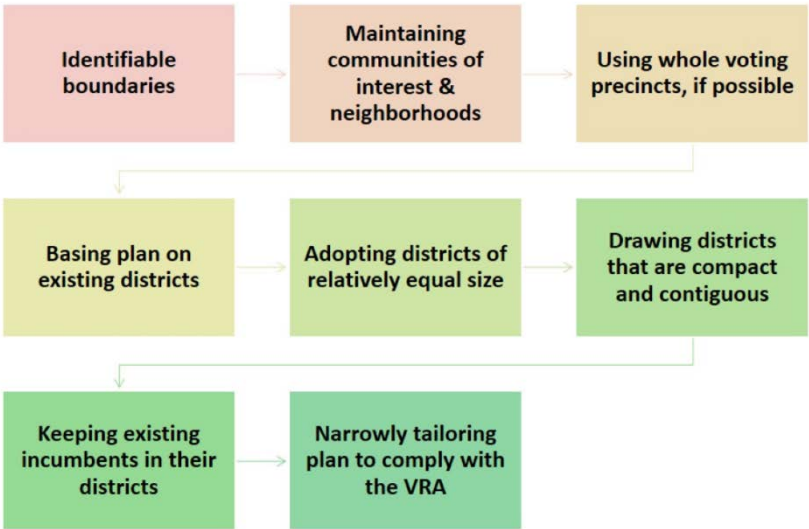
14th Amendment
(*Shaw v. Reno*)

Limits race-based decision making, including redistricting

Was race the predominant consideration in drawing a redistricting plan?

If so, is the plan a *narrowly tailored* means of addressing a *compelling governmental interest*?

Adopt Criteria



City of Duncanville
Overall Deviation For Current Council Districts
Using 2020 Census Data

Duncanville City Council Districts - Initial Assessment



Demographics Report - Summary 2020 Census Total Population

Plan Last Edited on: 11/22/2021 9:43:00 AM

District	Persons	Ideal Size	Deviation	Hispanic % of Total Population	Non-Hispanic White % of Total Population	Non-Hispanic Black % of Total Population	Non-Hispanic Asian % of Total Population	Non-Hispanic Other % of Total Population
1	8,175	8,149	0.32%	30.96%	29.37%	34.57%	1.69%	3.41%
2	8,593	8,149	5.45%	47.93%	22.84%	25.57%	0.84%	2.82%
3	7,559	8,149	-7.24%	54.97%	18.52%	22.89%	1.12%	2.50%
4	8,510	8,149	4.43%	36.29%	17.02%	42.33%	1.68%	2.66%
5	7,908	8,149	-2.96%	54.20%	19.21%	22.10%	1.44%	3.02%

TOTAL: 40,745 44.62% 21.43% 29.70% 1.35% 2.88%

Ideal Size: 40745 / 5 = 8149

Total Population: 40,745

Overall Deviation: 12.69%

Some percentages may be subject to rounding errors.

- B. Consider a Resolution establishing guidelines for persons submitting specific redistricting proposals and providing comments for use of 2021 redistricting process for places (1) one through five (5) of the City Council Single Member Districts; providing for review; providing for submission of citizen plans; providing for an effective date.**

Councilmember Don McBurnett made a motion to approve the item as stated, Councilmember Mark D. Cooks seconded the motion. The vote was cast 6 for, 0 against (Mayor Pro Tem Patrick Harvey absent).

- C. Consider a Resolution establishing criteria for use of 2021 redistricting process for places (1) one through five (5) of the City Council Single Member Districts; providing for review; providing for submission of citizen plans; providing for an effective date.**

Joshua Katz, Bickerstaff Heath Delgado Acosta LLP, presented the item.

Mr. Katz stated his firm often advises their clients that making the simplest change necessary to fix your problem is a good idea. It meets the important criteria; keeping your existing districts, keeping incumbents in their districts, minimal impacts on minority populations within districts, allows the majority of voters to stay in their districts.

Plan A

Option A provides minimal change; 213 citizens will move from District Two to District Three.

Plan B

Option B affects District Two, District Three, and District Four, moving 187 citizens in District Four to District Three.

Plan C

Option C was produced and discussed.

Discussion on changes suggested by Councilmember Koontz resulted in an Option D with modifications to Option C.

Council concluded to bring Plans A, B, and C for Public Hearing at the December 7, 2021, Regular City Council Meeting.

City Attorney Hager recommended keeping the Plans as is and have blown up maps with the areas affected.

Councilmember Mark D. Cooks made a motion to approve the item as stated, Councilmember Don McBurnett seconded the motion. The vote was cast 6 for, 0 against (Mayor Pro Tem Patrick Harvey absent).

ADJOURNMENT

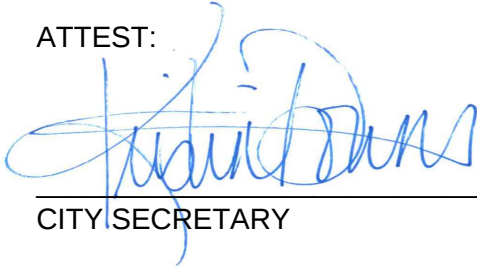
The meeting was adjourned at 8:05 p.m.

APPROVED:



MAYOR

ATTEST:



CITY SECRETARY

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