

2024 Charter Review:

Redistricting Law and Changes to the Composition of City Council

Charter Committee Meeting
June 12, 2024

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CHAPTER III. - THE CITY COUNCIL

Sec. 8. - Number of council members.

The City Council shall be composed of a Mayor and six (6) Council Members, who shall be elected in the manner set forth in this Charter. The Mayor and City Council Members shall take office upon canvassing following the date of election, and their terms of office shall begin as of that date. They shall serve until their respective successors shall have been elected and shall have qualified, except as otherwise provided for herein.

Sec. 9. - Council election.

There shall be held in the City of McKinney on the uniform election date in May 2013, and every four (4) years thereafter, or on such date or dates as may be prescribed by the laws of the State of Texas, a City election for a Mayor, a Council Member-at-large 1, a Council Member representing District 1, and a Council Member representing District 3. Any current office holder's term shall be extended according to law until the uniform election date in May 2013 and thereafter until their successors are elected and qualified.

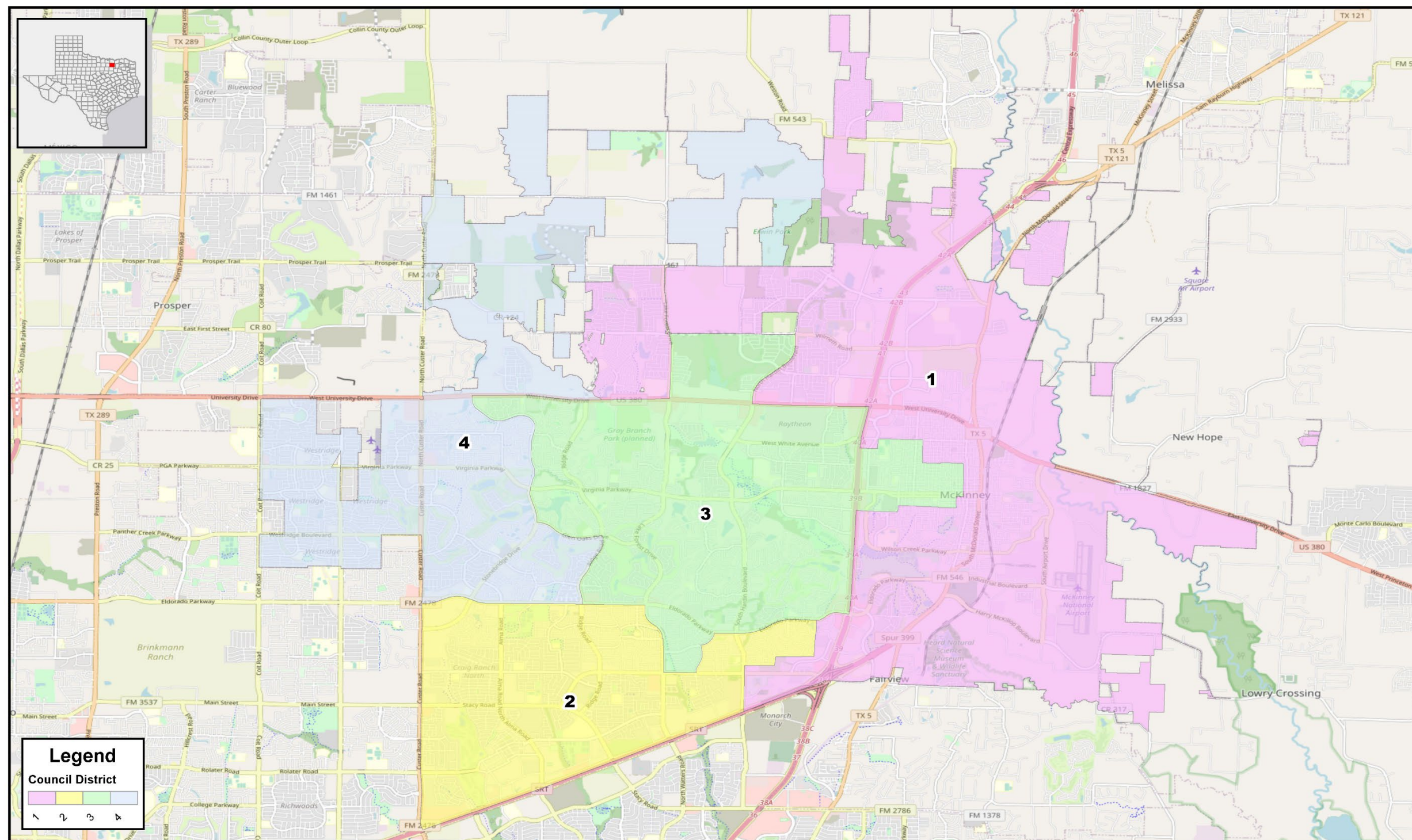
There shall be held in the City of McKinney on the uniform election date in May 2015, and every four (4) years thereafter, or on such other date or dates as may be prescribed by the laws of the State of Texas, a City election for a Council Member-at-large 2, a Council Member representing District 2, and a Council Member representing District 4. Any current office holder's term shall be extended according to law until the uniform election date in May 2015 and thereafter until their successors are elected and qualified.

CHAPTER III. - THE CITY COUNCIL

Sec. 10. - Council districts.

The City of McKinney shall be divided into four (4) Council districts, and a Council Member shall be elected by the resident voters of each district. Each Council Member representing a Council district must at the time of his or her election and during the term of office physically reside with legal domicile, in the district which they represent. For purposes of this Section and the Charter, "physically reside" shall mean (i) the candidate or Council Member must use their residence address for voter registration and driver's license purposes, and (ii) the candidate or Council Member shall provide to the City Secretary proof whereby such person uses their residence address as the person's home address on documents such as employment records, government forms and loan applications, and (iii) the candidate or Council Member must not claim a homestead exemption on any property other than the residence. The four (4) Council districts shall be defined by ordinance, and the boundaries thereof shall be subject to review by the Council to ensure equal voting rights for all citizens under state and federal law. Council district boundaries shall be redefined by ordinance to compensate for any significant change in population within a given district.

Current City Council Districts – 4 Single Member Districts



Created: 11/2/2022
Background Image: ESRI World Street Map

City of McKinney
Council Districts - Plan H - Adopted November 1, 2022

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Data Source: Roads, Water and other
features obtained from the 2020
Tiger/line files, U.S. Census Bureau



REDISTRICTING Applicable Law

**“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

What Population Do You Use?

Total Population

- To determine one person - one vote

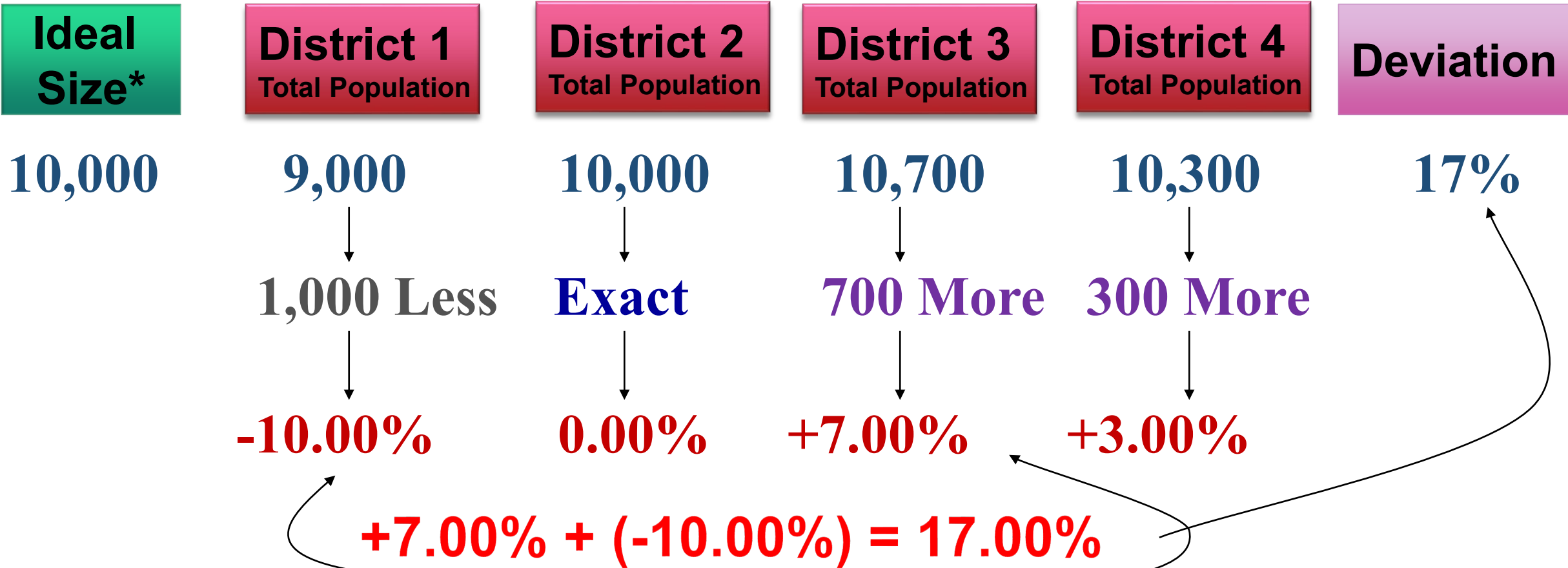
VAP
(Voting Age Population)

- To measure voting rights issues

Calculating the Overall Deviation

**Sum of total
population
for all 4 Districts
Divided by 4*

City = 40,000 Total Population



Highest Positive Percent + Highest Negative Percent = Maximum Deviation

$$[(\text{Total Population} - \text{Ideal Size}) / \text{Ideal Size}] * 100]$$

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

Section 5 of the Voting Rights Act

- Preclearance no longer required (*Shelby County v. Holder* (2013))
- Section 5 standard is “retrogression”
 - Are minorities worse off under the new system?
- Still a useful diagnostic tool to identify potential Section 2 issues

Redistricting Standards under *Shaw-Reno* Line of Cases

- Usually, race may not be the predominant factor to the subordination of traditional districting principles
- But it is OK to be aware of race and to consider race *to satisfy Section 2*
- To “narrowly tailor,” use race no more than necessary
- Bizarrely-shaped districts not unconstitutional per se
 - Bizarre shape may be evidence that race predominated

2020 Total Population for Current City Council Districts

Plan Name: City of McKinney Council Districts - Plan H - Adopted November 1, 2022

Demographics Report - Summary 2020 Census Total Population

Plan Last Edited on: 10/25/2022 10:11:01 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	47,043	48,791	-3.58%	31.13%	41.47%	17.27%	5.09%	5.04%
2	49,774	48,791	2.01%	12.05%	47.61%	13.98%	20.47%	5.90%
3	50,034	48,791	2.55%	14.42%	65.18%	9.25%	5.68%	5.47%
4	48,313	48,791	-0.98%	11.42%	55.22%	10.41%	17.46%	5.51%
TOTAL:		195,164		17.10%	52.52%	12.67%	12.23%	5.49%

Ideal Size: 195,164 / 4 = 48,791

Total Population: 195,164

Overall Deviation: 6.13%

Some percentages may be subject to rounding errors.

2020 Voting Age Population for Current City Council Districts

Plan Name: City of McKinney: Council Districts - Plan H
Adopted November 1, 2022



Demographics Report - Summary 2020 Census Voting Age Population

Plan Last Edited on: 10/25/2022 10:22:26 AM

District	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	34,274		28.50%	45.17%	16.62%	5.33%	4.40%
2	35,840		11.08%	51.15%	13.70%	19.39%	4.67%
3	37,211		12.75%	68.37%	8.65%	5.70%	4.53%
4	33,181		10.32%	58.24%	10.17%	16.93%	4.35%
	140,506		15.59%	55.93%	12.24%	11.76%	4.49%

* VAP - Voting Age Population

Some percentages may be subject to rounding errors.

McKinney Council District Options

Six Single Member Districts

Considerations

- Makes it more likely that issues unique to a specific area will have a voice on the council.
- Easier to campaign in a single district than at large
- Easier to be elected in a single member district than at large
- Potentially reduced litigation risk under the Voting Rights Act
- Only have input into the election of one council member
- Concerns over district-centric representation
- Requires re-drawing districts and adjustment to new system

More council seats

Considerations

- Smaller districts – easier to get elected
- Added costs

Timing for Changes to the City Council Districts

- After passage of the amendment to the charter changing the number and/or type of the City Council districts:

- Redistricting process will start:

Initial Review

Adopt plan criteria, guidelines

Develop illustrative plan(s)

Public comment / hearing

Analyze comments

Adopt final plan

Implementation

- Chapter 276.006 – Three-month period before implementation of new council districts
- Transition schedule of existing City Council members to newly adopted single member districts.
- Updates to County Elections' officials with adopted city council district plan.

Sample Transition

- **Sec. 9b. - Transition period pursuant to adoption of Charter amendments in the May 2018 special election.**
- This subsection provides for a transition from six (6) councilmembers elected at large to six (6) councilmembers elected by district, as provided by Sections 4 and 4a of Article IV of this Charter. Except as provided in this section, and after the transition as prescribed in this section, the mayor and councilmembers shall serve two (2) year terms.
- On the adoption of this Charter amendment, and not later than December 31, 2018, the city council shall establish Single Member Districts 1, 2, 3, 4, 5, and 6, as provided by [Section 4a](#) of Article IV of this Charter.
- The three (3) councilmembers elected at-large in the May 2018 general election shall serve one and one-half (1.5) year terms. The mayor and three (3) councilmembers that were elected at-large in the May 2017 general election shall serve two and one-half (2.5)-year terms.
- A general election shall be held for the council in November 2019, at which the mayor and the six (6) councilmembers elected from council districts shall be elected for two (2) year terms, marking the end of the transition period.
- (As added by election May 5, 2018 (Ord. No. 4563, § 2(17), 5-21-18))



Composition Data

Composition Data



Mayor



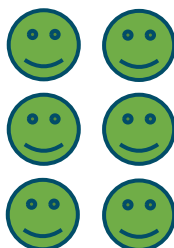
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Mayor



CC At Large



Mayor



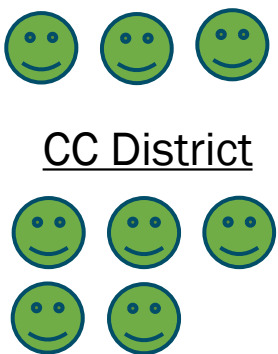
CC At Large



Mayor



CC At Large



Composition Data



Mayor



CC Districts



Mayor



CC At Large



CC Ward



Mayor



CC At Large



CC District



Mayor



CC At Large



Composition Data



Mayor



CC At Large



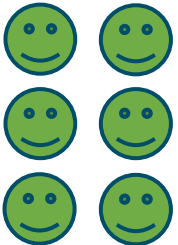
CC District



Mayor



CC At Large



Mayor



CC At Large



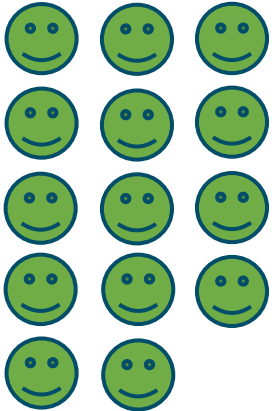
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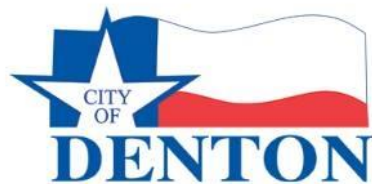
Mayor



CC Districts



Composition Data



Mayor



CC At Large



CC District



Mayor



CC At Large



Mayor



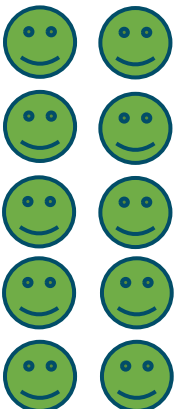
CC Districts



Mayor



CC Districts



Composition Data



Mayor



CC At Large



GARLAND

Mayor



CC Districts



Mayor



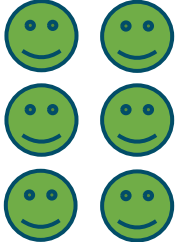
CC District



Mayor



CC At Large



Composition Data



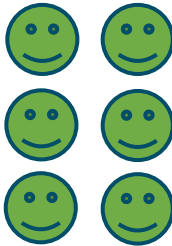
Mayor



CC At Large



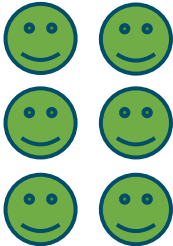
CC District



Mayor



CC District



Mayor



CC At Large



CC District



Mayor



CC At Large



CC District



Composition Data



CITY OF LAREDO
TEXAS

Mayor



CC District



Mayor



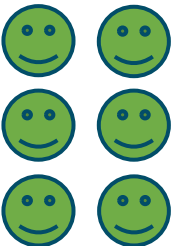
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Mayor



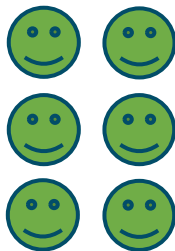
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Mayor



CC District



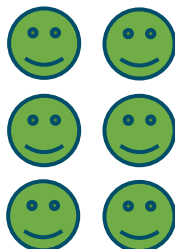
Composition Data



Mayor



CC District



Mayor



CC At Large



CC District



Mayor



CC District



Mayor



CC At Large



CC District



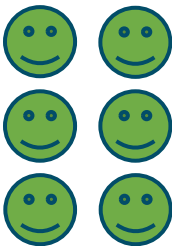
Composition Data



Mayor



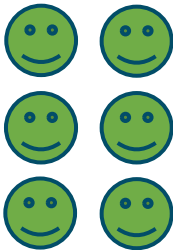
CC At Large



Mayor



CC District



Mayor



CC At Large



CC District



Mayor



CC At Large



Composition Data



Mayor



CC At Large



CC District*



Mayor



CC At Large



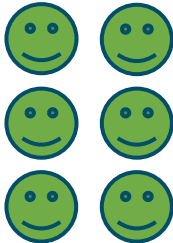
CC District*



Mayor



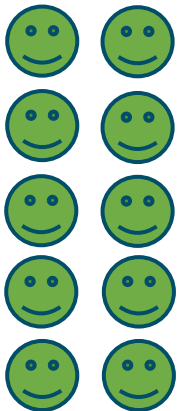
CC At Large



Mayor



CC Districts



Composition Data



Mayor



CC At Large



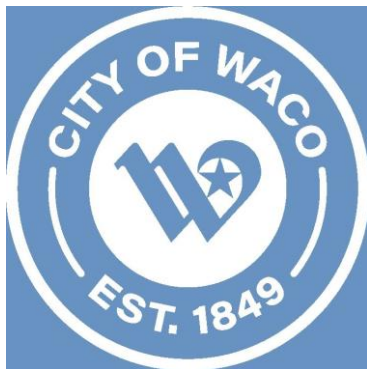
CC District



Mayor



CC District



Mayor



CC District



Mayor



CC At Large



CC District





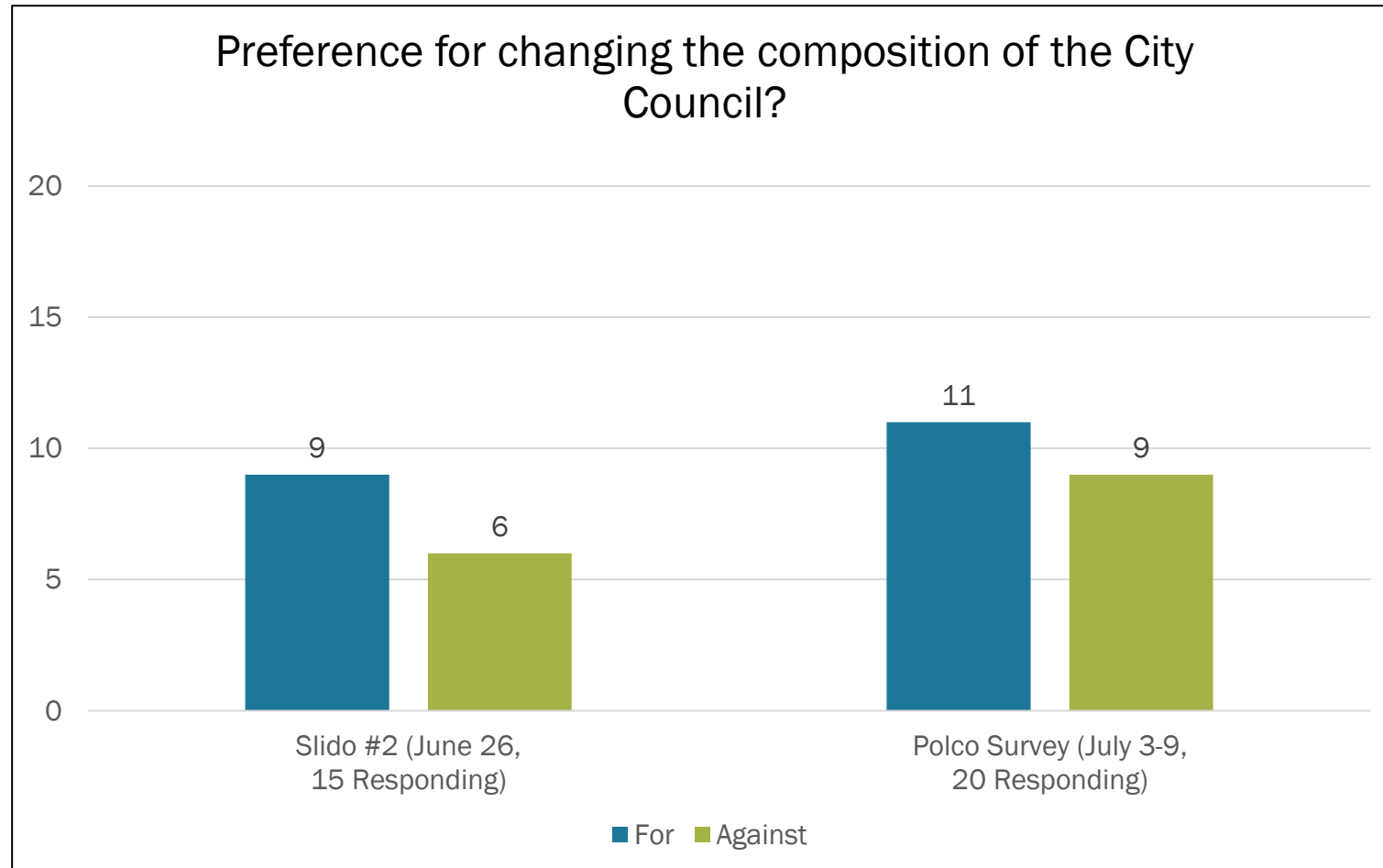
Composition Report

2024 Charter Committee Report – Composition

- The Committee is charged with evaluating current council composition as it relates to the number of council members and district vs. at-large members.
- Based on comparable data, Commission discussion, and Commission preferencing polls the Commission recommends the following,
 - *The City Council further analyze, study, and evaluate changes to the current Council composition.*

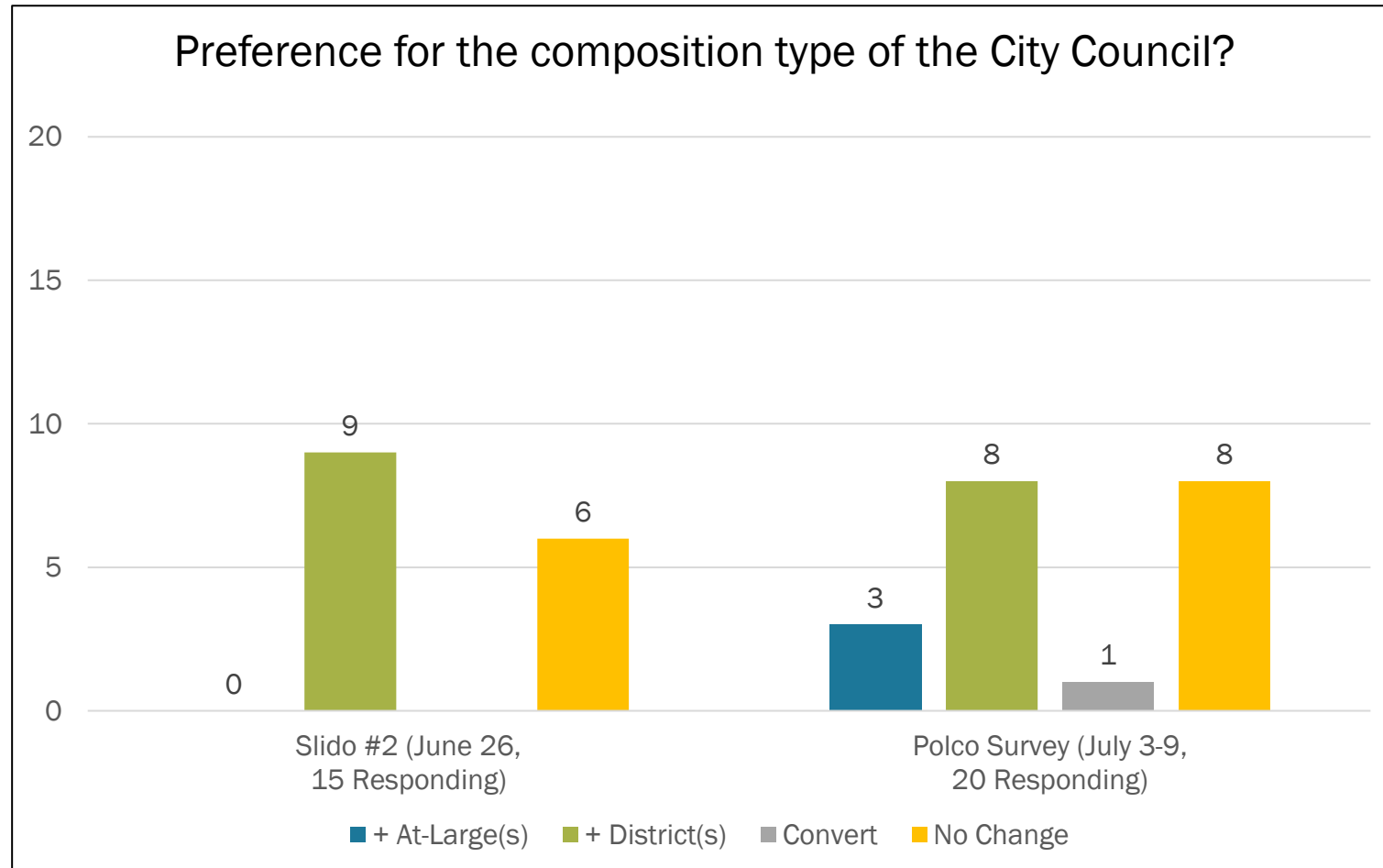
2024 Charter Committee Report – Composition (cont.)

- Based on Commission discussion and Commission preferencing polls, the **Commission advises** the Council consider the following regarding composition,



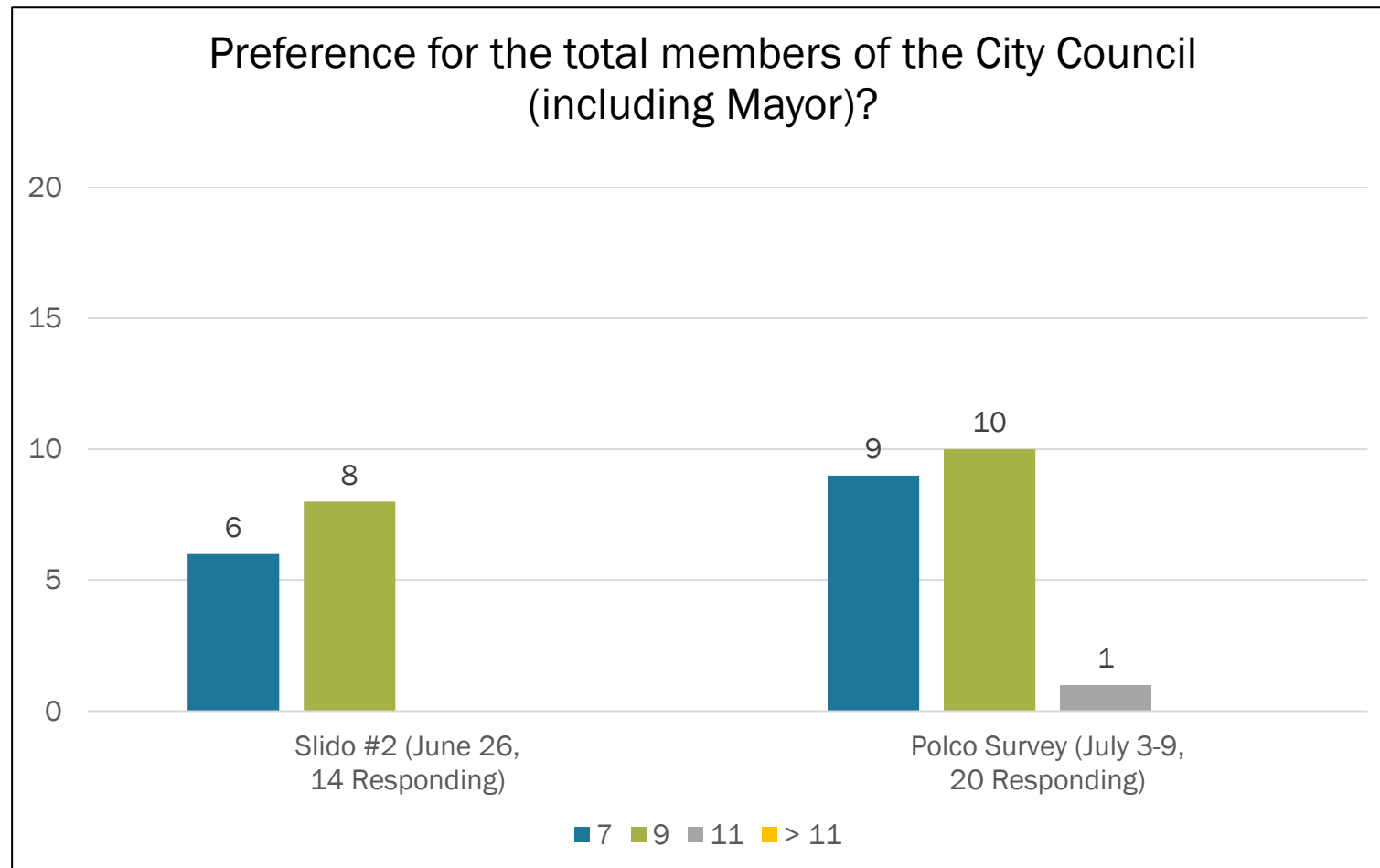
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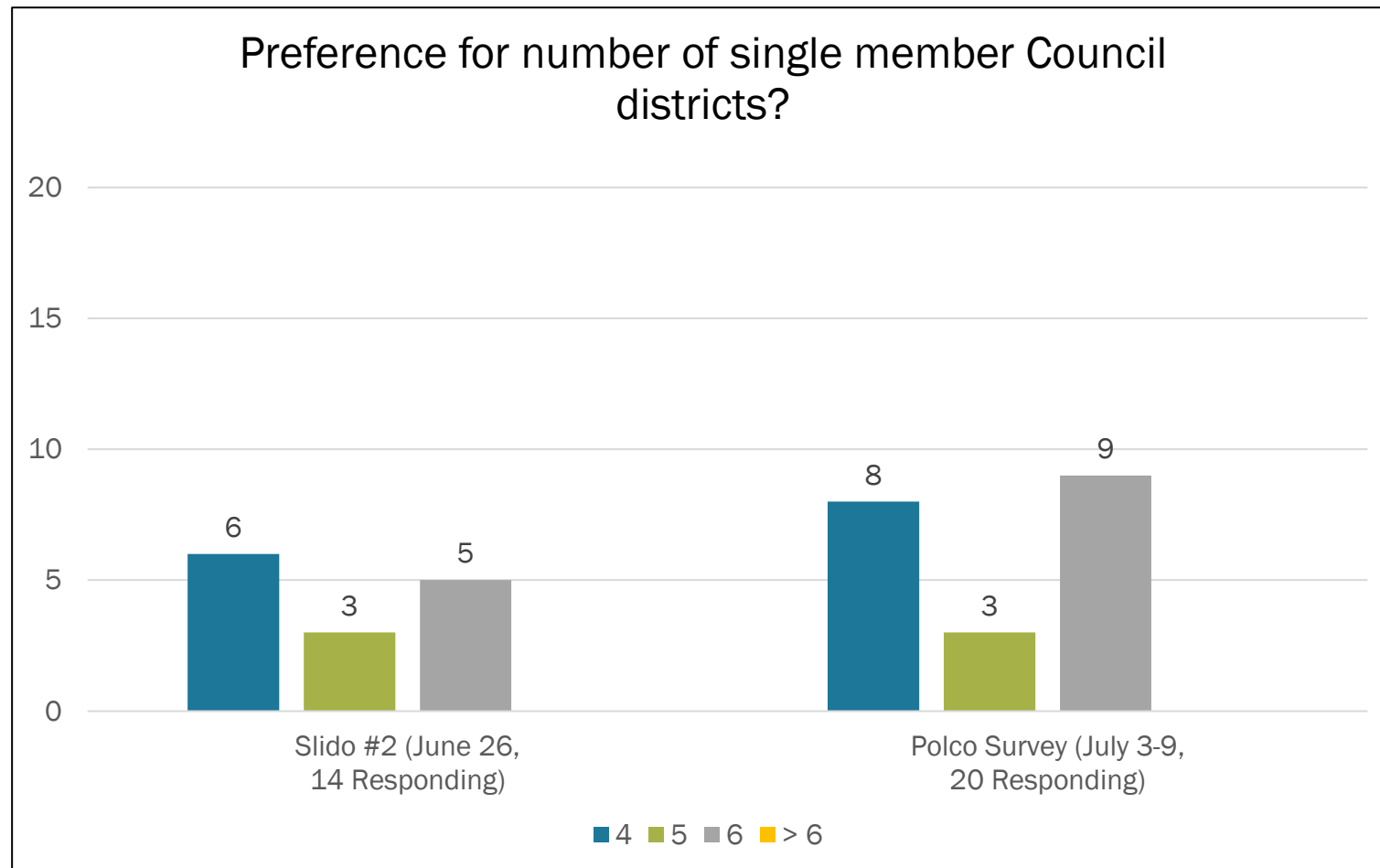
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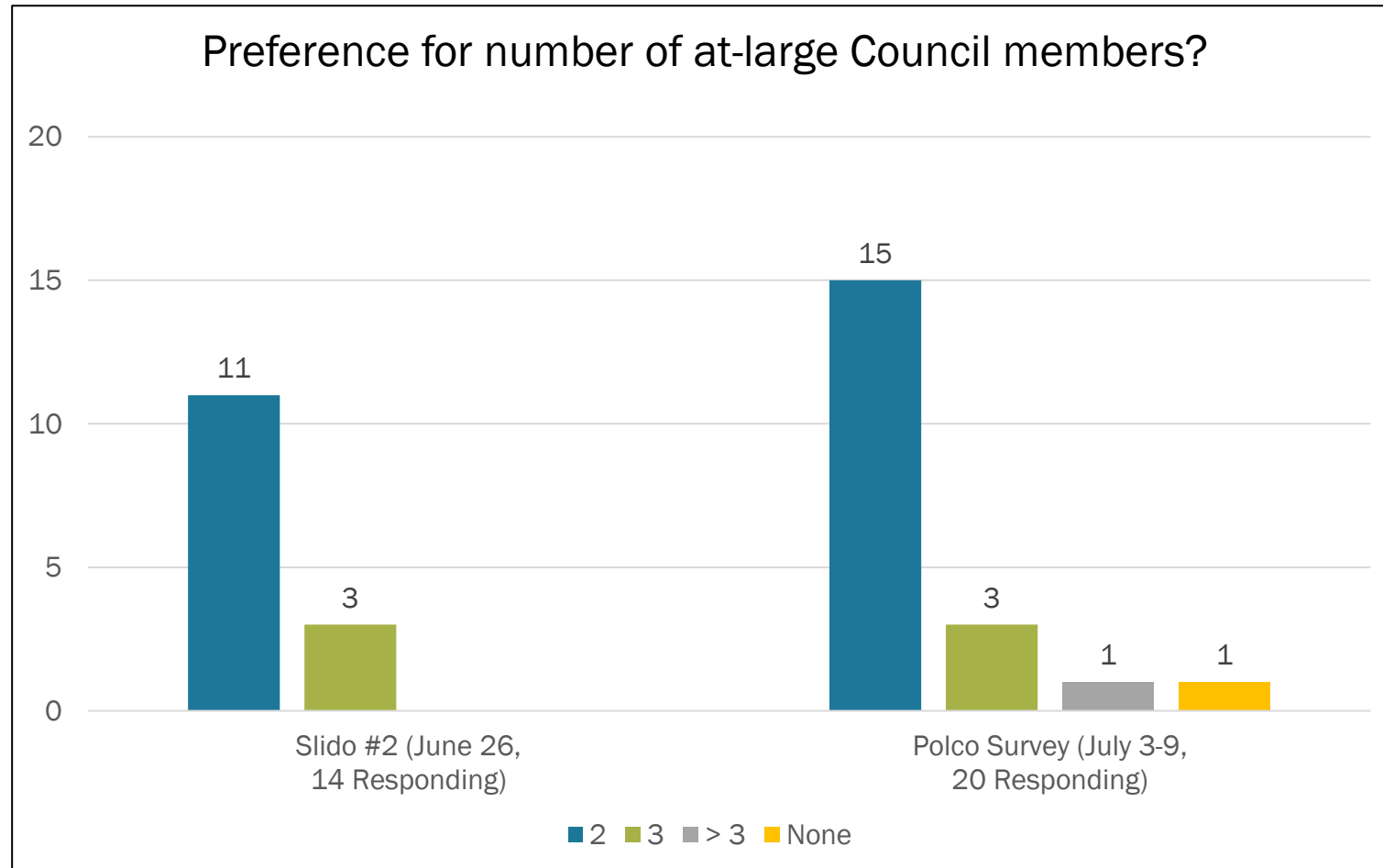
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Appendix



- [2024 Charter Commission Webpage](#)
- Commission Meeting #1
 - [Presentation](#)
 - [Video](#)
- Commission Meeting #2
 - [Presentation](#)
 - [Video](#)
- Commission Meeting #3
 - [Presentation](#)
 - [Video](#)
- Commission Meeting #4
 - [Presentation](#)
 - [Video](#)
- [Charter Research for Cities >100,000 Population](#)
- [Texas Municipal League “Texas Home Rule Charters \(Second Edition\)”](#)
- [International City/County Managers Association “2018 Municipal Form of Government Survey”](#)