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## MEMORANDUM

**TO:** Honorable Mayor Kevin Raines and City of Rosenberg City Council

**FROM:** Alan Bojorquez, Special Counsel

**DATE:** January 13, 2022

**RE: REDISTRICTING: Rosenberg Draft Map "D" Report**

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The purpose of this report is to provide the City of Rosenberg with our analysis of Draft Map D (the "plan") based on the criteria approved by the City Council on October 19, 2021, and the five basic legal standards that govern the redistricting process. The plan meets the City's redistricting criteria and satisfies the applicable legal standards. The plan was made available for public review and comment, and was considered by the City Council on December 14, 2021. The plan represents a calculated modification to the City's existing districts based on anticipated growth and thus is likely to maintain proportional balance for the voters throughout the next few elections. Therefore, the plan is generally acceptable and eligible for consideration by the City Council.

### A. Criteria Compliance

The redistricting criteria established by resolution of the City Council was used in the redrawing of district boundaries that resulted in the creation of the plan. Every effort was made to preserve the basic configuration of the existing districts while attempting to balance the existing districts in light of the 2020 Census Data. The plan meets all of the following objectives:

- Where possible, easily identifiable geographic boundaries should be followed.
- Communities of interest should be maintained in a single district, where possible, and attempts should be made to avoid splitting neighborhoods.
- Any redistricting plan should, to the extent possible, be based on existing districts.
- Districts must be configured so that they are relatively equal in total population according to the best available data, including the 2020 Federal Census. In no event, should the total maximum deviation between the largest and the smallest district exceed ten percent (10%).
- The districts should be compact and composed of contiguous territory. Compactness may contain a functional, as well as a geographical dimension.

- 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.
- The plan should be narrowly tailored to avoid retrogression in the position of racial minorities and language minorities as defined in the Voting Rights Act with respect to their effective exercise of the electoral franchise.
- 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, 42 U.S.C. §1973.

## **B. Rationale for Boundary Changes**

Using 2020 US Census data, the existing districts show that District 1 is the most under-populated district by 1,861 people, as compared to the ideal district size of 9,535 people. District 4 is the most populated district that contains 3,482 people above the ideal district size, as compared to the ideal district size of 9,535 people.

In order to achieve balanced districts, as required by the One Person / One Vote mandate, Districts 1 and 3 need to gain population and District 4 needs to lose population, with only minor reapportionment of the population of District 2 to achieve a substantially equal population. Satisfying the City's redistricting criteria, preserving the basic configuration of current boundary lines, and satisfying the legal requirements necessitated very little change to the existing plan.

## **C. General Observations (comparison with existing districts)**

- Under the plan, District 1 gains 2,037 people in order to substantially balance the districts. District 1 in the plan has a population of 9,711 people, which is 1.85% above the ideal district size of 9,535. The existing district is currently -19.52% below the ideal district size.
- Under the plan, District 2 loses 207 people in order to substantially balance the districts. District 2 in the plan has a population of 9,474 people, which is -0.64% above the ideal district size of 9,535. The existing district is currently 1.53% above the ideal district size.
- Under the plan, District 3 gains 1,395 people in order to substantially balance the districts. District 3 in the plan has a population of 9,163 people, which is -3.90% above the ideal district size of 9,535. The existing district is currently -18.53% below the ideal district size.
- Under the plan, District 4 loses 3,225 people in order to substantially balance the districts. District 4 in the plan has a population of 9,792 people, which is 2.70% above the ideal district size of 9,535. The existing district is currently 36.52% above the ideal district size.

## D. Demographics

### (1) Balance

For purposes of achieving the One Person / One Vote requirement, the current system has a Total Deviation of **56.04%**. Draft Map D has a Total Deviation of **6.60%**, which is within the acceptable 10% (+/-) range.

### (2) Racial & Ethnic

Under the plan, Districts 1, 2 and 3 maintain a Hispanic majority population and District 4 maintains a Hispanic plurality-influence population.

For Hispanic persons, the relevant district percentages are as follows:

Dist. 1: **51.44%** (down from benchmark of 58.72%)  
**49.65%VAP** (down from benchmark VAP of 58.18%)

Dist. 2: **65.79%** (up from benchmark of 65.19%)  
**62.76%VAP** (up from benchmark VAP of 62.59%)

Dist. 3: **63.71%** (down from benchmark of 65.87%)  
**60.36%VAP** (down from benchmark VAP of 62.29%)

Dist. 4: **40.56%** (up from benchmark of 39.21%)  
**37.72%VAP** (up from benchmark VAP of 36.14%)

For Black persons, the relevant district percentages are as follows:

Dist. 1: **25.92%** (up from benchmark of 25.59%)  
**24.52%VAP** (up from benchmark VAP of 23.94%)

Dist. 2: **10.14%** (down from benchmark of 11.47%)  
**9.60%VAP** (down from benchmark VAP of 10.83%)

Dist. 3: **9.28%** (up from benchmark of 8.15%)  
**8.86%VAP** (up from benchmark VAP of 7.92%)

Dist. 4: **19.31%** (up from benchmark of 19.30%)  
**18.79%VAP** (same as benchmark VAP of 18.79%)

## E. Conclusion

Draft Map “D” is a viable option for consideration by the City Council. It was subjected to an open, transparent public process, which includes a public hearing on the proposed map on December 14, 2021. The plan satisfies nearly all of the criteria approved by the City Council at the outset and conforms to the legal standards that apply to Redistricting. We have neither procedural nor legal concerns with the approval of this plan.

cc: Grady Randle, City Attorney, City of Rosenberg  
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Jessica Grosek, Redistricting Coordinator, Bojorquez Law Firm, PC  
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