

ORDER NO. _____

ORDER ADOPTING CRITERIA FOR USE IN 2021 REDISTRICTING PROCESS

WHEREAS, Pecos County, Texas (“County”) is a duly organized and operating county of the State of Texas pursuant to the constitution and laws of Texas, and further, the Pecos County Commissioners Court (“Commissioners Court”) is its governing body; and

WHEREAS, the Commissioners Court has certain responsibilities for redistricting under federal and state law, including but not limited to: Amendments 14 and 15 of the United States Constitution; section 2 of the federal Voting Rights Act, 52 U.S.C.A. § 10301; article 5, section 18 of the Texas Constitution; § 81.021 of the Texas Local Government Code; §§ 2058.001 and 2058.002 of the Texas Government Code; and other authority; and

WHEREAS, a review of the 2020 census data reveals that a population imbalance exists among the County’s commissioner precincts requiring redistricting of those commissioner precincts; and

WHEREAS, it is the intent of the County to comply with the Voting Rights Act and with all other relevant law, including the jurisprudence occurring as a result of the decision of the United States Supreme Court in *Shaw v. Reno*, 509 U.S. 630, 649 (1993); and

WHEREAS, a set of established redistricting criteria will serve as a framework to guide the County in the formulation and consideration of districting plans; and

WHEREAS, redistricting criteria will provide the County a means by which to evaluate proposed plans; and

WHEREAS, redistricting criteria will assist the County in its efforts to comply with all applicable federal and state laws;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Commissioners Court of Pecos County, Texas, that the County, in its adoption of a redistricting plan for commissioner precincts, will adhere to the following criteria to the greatest extent possible when establishing new commissioner precinct boundaries:

- (1) Unless otherwise designated, the past, present, or future tense shall each include the other, the masculine, feminine, or neuter gender shall each include the other, and the singular and plural number shall each include the other where necessary for a correct meaning.
- (2) All statements made in the preliminary recitals of this order are incorporated by reference.
- (3) To the extent practicable, the following should occur:

- (a) Easily identifiable geographic boundaries should be followed.
 - (b) Communities of interest should be maintained in a single commissioner precinct, and attempts should be made to avoid splitting neighborhoods.
 - (c) Commissioner precincts should be composed of whole voting precincts. Where this is not possible or practicable, commissioner precincts should be drawn in a way that permits the creation of practical election precincts and that ensures (i) that adequate facilities for polling places exist in election precincts; or, as applicable, (ii) that efficient ballot preparation be facilitated for elections conducted at vote centers in the County. An attempt will be made to avoid splitting census blocks unless necessary.
 - (d) Although it is recognized that existing commissioner precincts will have to be altered to reflect new population distribution in the County, any districting plan should be based on existing commissioner precincts.
 - (e) Commissioner precincts must be configured so that they are relatively equal in total population according to the 2020 federal census. In no event should the total population deviation between the largest and the smallest commissioner precinct exceed ten percent as compared to the ideal precinct size.
 - (f) The commissioner precincts should be compact and composed of contiguous territory. Compactness may contain a functional, as well as a geographical, dimension.
 - (g) 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.
 - (h) The plan should be narrowly tailored to avoid racial gerrymandering in violation of *Shaw v. Reno*.
 - (i) The plan should not fragment a geographically compact minority community or pack minority voters in the presence of polarized voting or otherwise discriminate against protected groups so as to create liability under the Voting Rights Act.
- (4) The Commissioners Court will review all plans considering these criteria and will evaluate how well each plan conforms to the criteria.
 - (5) Any plan submitted to the Commissioners Court by a citizen for its consideration should be a complete plan -- *i.e.*, it should consider and analyze

all four commissioner precincts and should redistrict the entire County. The Commissioners Court may decline to consider any plan that is not a complete plan.

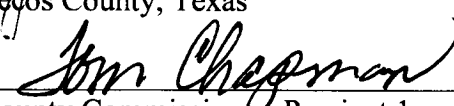
- (6) All plans submitted by citizens, as well as plans submitted by staff, consultants, and members of the Commissioners Court should conform to these criteria.
- (7) This order shall take effect immediately from and after its passage.
- (8) This order was considered and approved at a public meeting of the Commissioners Court held in compliance with Chapter 551 of the Texas Government Code (the Texas Open Meetings Act).

ORDERED, APPROVED, AND ADOPTED on the 30 day of September, 2021.

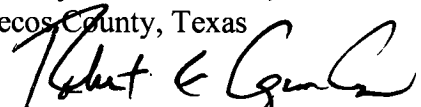
**THE COMMISSIONERS COURT OF
PECOS COUNTY, TEXAS**



County Judge
Pecos County, Texas

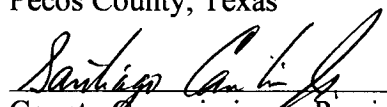


County Commissioner, Precinct 1
Pecos County, Texas



County Commissioner, Precinct 2
Pecos County, Texas

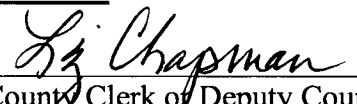
County Commissioner, Precinct 3
Pecos County, Texas



County Commissioner, Precinct 4
Pecos County, Texas



ATTEST:



County Clerk or Deputy County Clerk
Pecos County, Texas