

Ordinance No 2022-02

**An ordinance adopting a new Reapportionment Plan thereby revising city council member district boundaries in response to the 2020 Census; providing for findings of fact; providing for election precincts; providing for an effective date; providing this ordinance be cumulative; providing for severability; providing for governmental immunity; and providing for injunctions.**

**WHEREAS**, the 2020 decennial census disclosed that existing council member districts in the City of New Braunfels, Texas, are substantially unequal in population; and

**WHEREAS**, the City Council of the City of New Braunfels has undertaken to redraw the six council member districts for the convenience of the people and to equalize population and assure compliance with the applicable requirements of state and federal law; and

**WHEREAS**, through the work of the Redistricting Committee appointed by the City Council and a series of public hearings and meetings, the City Council has received and considered oral testimony and written evidence regarding the need for new council member districts and an appropriate configuration of these districts; and

**WHEREAS**, the City Council finds the attached map of the new council member districts reflects the division of the City of New Braunfels into six districts that satisfy all legal requirements including the United States and Texas Constitution and Statutes and the Federal Voting Rights Act and the City Charter;

**WHEREAS**, on January 5, 2022, the City Council held a public hearing and adopted the first reading of this ordinance.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:**

#### **SECTION I. FINDINGS OF FACT**

That all of the above premises are hereby found to be true and correct legislative and factual findings of the City of New Braunfels City Council and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

## **SECTION II. ADOPTION OF PLAN**

That the boundaries of the six single-member council member districts are hereby modified, amended and redrawn for the purposes of apportioning the population of the City between the council member districts and, as modified, amended, and redrawn the boundaries of the six council member districts shall be in accordance with Draft Map B, a map of which is attached hereto as Exhibit "A" and is incorporated by reference into and made a part of this ordinance.

## **SECTION III. ELECTION PRECINCTS**

That the City Attorney is hereby instructed to send a copy of this ordinance and the new council member district maps and legal descriptions to the proper officials of Comal County so the County can make the necessary changes in the County's election precincts, as required by the Texas Election Code, and effective for the May 2022 City Council Election.

## **SECTION IV. EFFECTIVE DATE**

This Ordinance shall take effect immediately from and after its passage and publication as may be required by governing law. This ordinance is to be in effect for application to the May 2022 General Election for the City Council.

## **SECTION V. PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

## **SECTION VI. CUMULATIVE ORDINANCE**

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of New Braunfels, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

## SECTION VII. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

## SECTION VIII. GOVERNMENTAL IMMUNITY

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety, and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of New Braunfels in the discharge of their duties, shall not thereby render themself personally liable; and they are hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of their said duties.

## SECTION IX. INJUNCTIONS

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of New Braunfels in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of New Braunfels.

PRESENTED AND GIVEN FIRST READING on the 5<sup>th</sup> day of January, 2022, at a special meeting of the City Council of the City of New Braunfels, Texas.

PRESENTED AND GIVEN THE SECOND AND FINAL READING on the 10<sup>th</sup> day of January, 2022, at a regular meeting of the City Council of the City of New Braunfels, Texas.

CITY OF NEW BRAUNFELS, TEXAS:



RUSTY BROCKMAN, MAYOR

ATTEST:

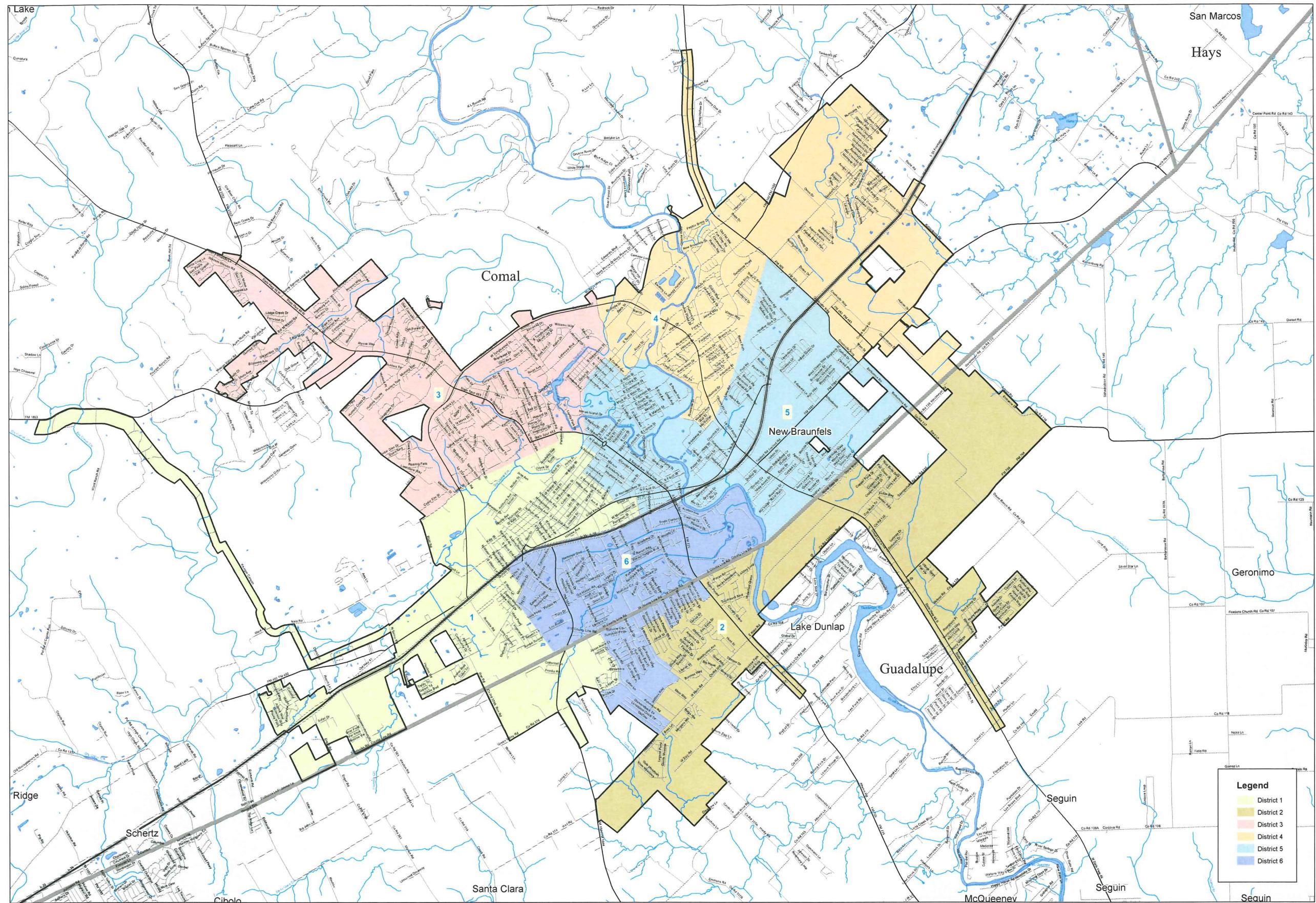


CAITLIN KROBOT, CITY SECRETARY

APPROVED AS TO FORM:



VALERIA M. ACEVEDO, CITY ATTORNEY

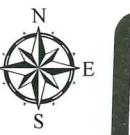


DISTRICT	Total Population Tabulation					Demographics as a Percent of Total Population														
	All Persons	Target	Dev.	Difference	White	Black	%	Hispanic	%	Amer Indian	%	Asian	%	Hawaiian	%	Other Race	%	Two or More Races	%	
1	15,105	15,062	0.29%	43	6,611	43.77%	547	3.62%	7,256	48.04%	36	0.24%	170	1.13%	14	0.09%	41	0.27%	430	2.85%
2	14,890	15,062	-1.15%	-172	8,521	57.23%	468	3.14%	4,994	33.54%	45	0.30%	227	1.52%	31	0.21%	75	0.50%	529	3.55%
3	15,051	15,062	-0.07%	-11	11,307	75.12%	273	1.81%	2,662	17.69%	43	0.29%	195	1.30%	9	0.06%	52	0.35%	510	3.39%
4	15,281	15,062	1.44%	219	9,709	63.54%	386	2.53%	4,329	28.33%	26	0.17%	224	1.47%	28	0.18%	44	0.29%	535	3.50%
5	15,291	15,062	1.50%	229	7,256	47.45%	375	2.45%	6,846	44.77%	37	0.24%	248	1.62%	14	0.09%	38	0.25%	477	3.12%
6	14,752	15,062	-2.10%	-310	8,378	56.79%	321	2.18%	5,167	35.03%	46	0.31%	197	1.34%	35	0.24%	84	0.57%	524	3.55%
Total	90,370		3.60%		51,782	57.30%	2,370	2.62%	31,254	34.58%	233	0.26%	1,261	1.40%	131	0.14%	334	0.37%	3,005	3.33%

**City of New Braunfels, Texas  
Draft Map B**

Data Source:  
2020 TIGER/LINE GEOGRAPHY  
2020 CENSUS (PL 94-171) SUMMARY FILE  
CITY OF NEW BRAUNFELS

0 0.25 0.5 1 1.5 2 Miles



**EXHIBIT**  
**A**