

## **Exhibit B**

### **RESOLUTION NO. 2021-R79**

#### **A RESOLUTION OF FINDINGS OF FACT REGARDING POLITICAL BOUNDARIES OF CITY OF BOERNE, TEXAS FOLLOWING PUBLICATION OF 2020 CENSUS DATA AND ORDER FOR REDISTRICTING POLITICAL BOUNDARIES**

**WHEREAS**, on the 14<sup>th</sup> day of December 2021, the City Council of City of Boerne met in regular/called session, having posted notice of said hearing in compliance with Chapter 551 of the Texas Government Code; and

**WHEREAS**, the City Council of City of Boerne has previously retained the firm of Allison, Bass & Magee, LLP, of Austin, Texas, to conduct an Initial Assessment of existing political boundaries of City of Boerne, following the issuance of census data by the United States Census Bureau. Attached to this Order, and incorporated herein for all purposes by reference, is a copy of the initial assessment conducted by Allison, Bass & Magee, LLP. This assessment is based upon PL94-171 data, as required by federal law, and is further based upon information provided to Allison, Bass & Magee, LLP by the Texas Legislative Council, other official sources of information, and by City of Boerne, Texas; and

**WHEREAS**, based upon this information, City of Boerne has a total maximum deviation of 85.18%. The term total maximum deviation is determined by dividing the total population of City of Boerne by five, the number of City Council districts to determine an ideal district size. The actual population of each district is then determined, based upon the official population data contained within the census count, as defined by Public Law 94-171. The actual population of each district is compared to the ideal district size and a range of deviation by percentage is determined. Any total maximum deviation in excess of ten percent (10%) is presumptively unconstitutional under established federal law

**WHEREAS**, as a result of this determination, City of Boerne has a constitutional duty to redistrict its political boundaries so as to achieve "One-Person-One-Vote" numerical balance between the five City Council districts at a legally acceptable margin of deviation, and to make such changes as are necessary to comply with the Voting Rights Act and applicable state and federal law.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:**

The Boerne City Council expressly finds that it has a legal duty to redistrict. The public interest will be served by redrawing the existing political boundaries of City of Boerne in such a manner as to comply with applicable state and federal law. The City Council hereby enters the following findings of fact and of law:

1. City of Boerne has a total maximum deviation, as defined in this order, of 85.18%.
2. Any total maximum deviation in excess of ten percent (10%) is presumptively unconstitutional under federal law.
3. City of Boerne, acting by and through its City Council, is hereby resolved to immediately undertake such necessary and appropriate action to accomplish redistricting of existing City Council districts, and any incidental modification of existing, consolidated, or newly created election wards necessary to accomplish such redistricting.
4. The City Council shall henceforth convene in open meetings, duly posted in accordance with the Texas Open Meetings Act, to take up and consider one or more alternative plans for the legal redistricting of City of Boerne.
5. After due consideration of one or more alternative plans, City of Boerne shall adopt a plan deemed to satisfy legal requirements, and which best suits the legitimate governmental needs of City of Boerne.
6. The adopted redistricting plan will address political boundaries of the City Council, Justice of the Peace and Election districts of City of Boerne, and shall remain in effect until altered or amended by subsequent Order of the City Council.

PASSED, APPROVED and ADOPTED on this the \_\_\_\_ day of December, 2021.

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Council Member, District 1

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Council Member, District 2

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Council Member, District 3

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Council Member, District 4

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Council Member, District 5

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Mayor

ATTEST:

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City Secretary