

**A Report to the City Council
on the
Revised Redistricting Staff Plan of May 9, 2011**

By Jerry Wood
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Overview

Public participation in the City Council redistricting process of 2011 reached a level not seen since single member districts were first adopted in 1979. For the first time since then, several Houstonians have submitted plans for districts that are full plans and not just a proposal for a single district.

Access to a computer in the Planning and Development Department which was loaded with redistricting software and 2010 Census information, combined with the willingness of citizens to spend their time and energy in order to participate in this process, resulted in the submission of twelve plans that proposed changes involving more than two Council districts. In all, approximately 24 people used the Planning Department's redistricting computer kiosk. Thirteen plans were submitted by the May 6, 2011 deadline. Nine of those plans were evaluated to determine whether they met the requirements of the Voting Rights Act and the City's redistricting criteria. Four plans clearly did not meet the requirements, as discussed below.

All of the alternate citizen plans were submitted after the City's original staff plan was presented on April 6th, following the ten town hall meetings held throughout the city. As a result, many incorporated elements of the original staff plan with variations. Some alternate plans, such as that proposed by Mr. Chuck Davison, emphasized compactness as a primary goal. His plan, while visually appealing, illustrated a problem with such an approach, since the plan split neighborhoods and created serious retrogression issues in some districts. The plan submitted by Mr. Ted Richardson illustrated the way in which an attempt to maintain existing neighborhood relationships can lead to problems in neighborhood relationships in another part of the city. This is also true of the plan submitted by Mrs. Vivian Harris.

The primary goal of some of the plans was to maintain Districts H and I as Hispanic opportunity districts while creating one or more additional Hispanic districts. This proved to be very difficult due to high rates of non-citizenship among the adult population and dispersion of that population throughout the city.

The plans submitted by Mr. Robert Jara and Dr. Reynaldo Guerra sought to use the addition of two new districts to improve the opportunities for the Hispanic community to elect representatives of their choice. The original staff plan was able to significantly improve the ability of the Hispanic communities in Districts H and I to select representatives of their choice. Demographic changes, including a rise in the non-citizen population and redevelopment which resulted in Hispanic population loss in key areas of District H, had eroded the voting strength of the Hispanic community in those districts.

The original staff plan took the other two districts with Hispanic majorities in total population and changed one of those districts (District A) so that it then had a Hispanic majority in voting age population, too. Both Mr. Jara and Dr. Guerra wanted to build on this work.

Mr. Jara's approach was to reorganize the districts in southwest Houston to combine the Sharpstown and Gulfton areas in a single district, while seeking to enhance the Asian community's voting strength in a different district. Dr. Guerra submitted a first plan which did not follow this approach, but subsequently used Mr. Jara's approach, with some variation, while trying to use a portion of the Hispanic population in Districts H and I to create a district with higher Hispanic population than the ones proposed in the original staff plan. His thorough exploration of this concept illustrated the problem with using Hispanic population from either Districts H or I. Each of Dr. Guerra's subsequent plans resulted in a weakening of the voting strength of the Hispanic community in these districts as a result of using Hispanic population pulled from Districts H or I. Both districts have very high Hispanic total populations, but age, citizenship and socio-economic issues prevent the City's plan from raising the Spanish surnamed registered voter (SSRV) percentages to above 50%. Any reduction in the SSRV in Districts H or I has to be a matter of concern because of the Voting Rights Act.

In the end, the efforts of Mr. Jara and Dr. Guerra and his coalition were extremely useful. Mr. Jara's approach to creating districts in southwest Houston was adapted for the revised staff plan. Dr. Guerra's approach resulted in a reexamination of the assumptions behind the original staff plan and provides City Council and the public with a better understanding of the way in which complicated social issues affect the redistricting process. The revised staff plan has tried to ensure that the Hispanic residents of Districts H and I have the ability to elect candidates of choice even though it was not able to draw them to contain as much as 50% SSRV.

One recurring complaint through the redistricting process was the state law requirement that districts be composed of whole voting precincts. The redistricting processes of other governmental bodies with elections in 2012 do not have this restriction because counties will be able to change their precinct boundaries at the end of 2011 to conform to these new district boundaries. However, the voting precincts for 2011 have been established and will not be revised between now and the November election. Since the state law does not allow multiple districts in a voting precinct, the City is unable to adopt a plan which does so.

The Revised Staff Plan

The staff plan which was proposed on April 6th has been revised using elements of the final plan proposed by **Mr. Robert Jara** and submitted at the public hearing on the evening of April 20th. The changes from the original staff plan are described below, district by district.

The only change in District A is the addition of Precinct 323, which is located at the intersection of Loop 610 at US Highway 290. The resulting boundary uses a major

thoroughfare (West 34th Street), White Oak Bayou, and Loop 610. This change is made to bring the population of the adjacent District C within the allowable range. It results in a small increase in the Hispanic total population percentage in District A, raising it from 56.2% to 56.7%, and the Spanish surnamed registered voter percentage from 19.5% to 19.6%.

District B is changed in two small ways. Precinct 528 is returned to the district instead of being transferred to District I, and Precinct 574, the center of the Bonita Gardens neighborhood, is transferred to District H. The net effect is a small change in the total population of the district, an increase in the African American total population percentage from 53.1% to 53.3%.

District C is significantly altered in the revised plan. Most of the proposed District J is added to portions of District C located in the Brays Bayou area. The Gulfton area, and the corridor located between Westheimer and the Westpark Tollway are reassigned in this plan. Additionally, the area east of South Post Oak Road and south of Loop 610, as well as that portion of the district located south of Brays Bayou and east of the Union Pacific rail line is reassigned to District K.

District D gains Precinct 564, an area of apartments and condominiums west of State Highway 288, which has no majority population. The result is an increase in district population and a small decline in the African American majority in the district. The resulting African American total population is 54.8% and voting age African American population is 55.3%. Both of these percentages are higher than the African American percentages in the pre-redistricting District D.

District E is unaltered.

District F is shifted to the north and west, and loses most of Sharpstown and all of the Braeburn area. The district total Asian population goes from 14.4% to 16.3%, while the Hispanic population drops from 55.1% to 41.5%. The areas added to the district include the limited purpose annexation areas west of State Highway 6 and south of I-10, the portions of the Alief ISD between Westheimer and the Westpark Tollway, and the Tanglewilde and Briar Meadow neighborhoods south of Westheimer and west of Chimney Rock.

District G loses the limited purpose annexation areas west of State Highway 6 but gains the area south of Westheimer between Chimney Rock and Wesleyan, as well as the Pin Oak apartment area north of the City of Bellaire. In this process, the Afton Oaks and West Lane neighborhoods in Precinct 178 are added to District G as requested by a number of speakers at the District G town hall meeting and the public hearings.

District H has only one small change, the addition of Precinct 574, the center of the Bonita Gardens neighborhood, a small, largely Hispanic, area. Although this change splits this neighborhood, it was requested by neighborhood leaders even with the resulting split.

District I has one change, the return of Precinct 528, the Clinton View neighborhood to District B. The effect is to make District I slightly more Hispanic.

District J is a completely new district consisting of most of Sharpstown, Gulfton, the Windswept area, Forum Park, Braeburn Valley West, Larkwood, Braeburn Glen, and Braeburn Valley north of Bray Bayou. The district Hispanic total population is 63.1% and the SSRV is 17.3%. The second largest ethnicity in the new district is African American, with 17.8% of total population.

District K gives the Braeburn Valley West, Braeburn Glen and Forum Park neighborhoods to District J. It receives the areas south of Loop 610 east of South Post Oak Road, and south of Brays Bayou east of the Union Pacific rail line from District C. It also adds the apartment and condominium areas around Reliant Stadium. The African American total population percentage is reduced from 42.6% to 41.2% and the Hispanic total population percentage falls from 42.6% to 36.4%. The Anglo total population percentage rises from 9.4% of total population to 15%. The Asian total population percentage also rises from 4.1% to 6%.

The revised staff plan, therefore, includes four districts in which the total population and voting age population is majority Hispanic. Two districts are majority African American, and one district has an African American plurality of over 40% of the total and voting age population. The district with the largest Asian total population percentage has no majority population. Three districts have Anglo majorities.

Evaluation of Other Plans

This report evaluates the plans and suggestions submitted by the public. Mr. Jara's plan is discussed in detail above. The remaining plans are discussed below. Plans which the City Attorney has determined violate aspects of state or federal law are described, but not fully evaluated.

A plan submitted by **Mrs. Vivian Harris** proposes changes to Districts C, D, J and K. Precinct 869 located in District K in the original staff plan would be transferred to District C, Precinct 564 located in District J in the original staff plan would be transferred to District D, Precincts 194, 540 and 632 in District D in the original staff plan would be transferred to District J, and Precinct 336 would be transferred from District D to District K. Most of Precinct 336 is located in the Central Southwest Super Neighborhood, but it also includes portions of the Sunnyside Super Neighborhood. It is also the home of Council Member Wanda Adams. Moving Precinct 336 to District K would transfer the Council Member from a district in which 63.4% of the residents are currently her constituents to one in which 50.6% of the residents are her constituents. Furthermore, the boundary created between Districts D and K uses unfamiliar local streets, and splits not only the Sunnyside Super Neighborhood, but also the Sugar Valley subdivision. The boundary proposed in the original staff plan uses major thoroughfares and a drainage ditch, and does not split any subdivisions. The staff plan does a better job of maintaining the relationship between the representative and her constituents, does not split any

subdivisions, and does not use any local residential streets in establishing a boundary. For these reasons the proposed changes are not recommended.

A plan submitted by **Mr. Ted Richardson** proposes changes in Districts A, C, F, G, J, and K. The proposed plan divides the territory included in District J in the original staff plan among Districts A, C and G. Because this raises the population in these districts above the allowable range, the Richardson plan removes territory on the northwest and western side of the City of Houston to create a new District J. The plan makes small changes to F and K in order to bring all the districts within the allowable range of population. In this process the Richardson plan lowers the Hispanic population percentages in Districts A and F. It also creates a large number of new neighborhood splits. These include splitting Spring Branch, Westchase, Memorial and the Houston Heights. The Greater Heights Super Neighborhood would be split three ways in this plan, as would the territory in the Washington Avenue coalition. Mr. Richardson expressed skepticism that the original staff plan proposal for District J would lack cohesion and have no community of interest. No comments to this effect were received from any of the numerous civic and neighborhood groups in the district after the revelation of the original staff plan. Part of Mr. Richardson's motivation was a desire to locate Precinct 178 in District G. The revised staff plan accomplishes this without creating these neighborhood splits. For this reason, the proposed changes are not recommended.

Two plans submitted by **Mr. Steven Sherman** make changes in the original staff plan in southwest Houston. The Sherman One Plan changes Districts C, F, J and K. It splits Sharpstown along the Southwest Freeway, and splits Greater Fondren Southwest, Westbury, Central Southwest, and Fort Bend Houston. The Sherman One Plan significantly reduces the African American population in District K by splitting heavily African American neighborhoods in Central Southwest and Fort Bend Houston off and including them in District C. It reduces the Hispanic percentage in District F in order to make District K more Hispanic. The Sherman Two Plan includes District G in the proposed changes. The changes to Districts C, F, and K are identical, but would also include changes that split up the Uptown area, specifically dividing the Tanglewood subdivision. It would also place the incumbent Council Member in new District J. Both plans create significantly more neighborhood splits than either the original staff plan or the revised staff plan. For this reason, and because of the failure to maintain continuity in representation in District G in the Sherman Two Plan, these plans are not recommended.

Dr. Reynaldo Guerra submitted four plans. One plan splits precincts, and so is not evaluated. The other plans are referred to as Guerra One Plan, the first plan that Dr. Guerra submitted, Guerra Two Plan, a plan which makes the fewest changes to the original staff plan, and Guerra Three Plan, a plan which makes significantly more changes to the original staff plan. All three plans are evaluated below.

The Guerra One Plan changes all City Council districts from their configurations in the original staff plan. District A consists of the western portions of Spring Branch, Memorial, and the western portions of HISD north of Westheimer and west of Gessner. Part of the Greater Inwood area is added to District B to compensate for the removal of African American neighborhoods centered on the intersection of East Crosstimbers and

Lockwood, south of Laura Koppe. District C received the University Place Super Neighborhood, Montrose, portions of the Greater Heights area, portions of Oak Forest and Garden Oaks, and the Greenway Plaza area. It loses portions of Willowbend, and Linkwood, as well as all of Woodside, Westwood, Woodshire, and Post Oak Manor. District D loses neighborhoods east of Mykawa near the South Belt, but gains Precinct 379 east of Mykawa south of East Bellfort. It also receives additional portions of Central Southwest, specifically the Almeda Plaza and Glen Iris subdivisions, the apartment communities around Reliant Park, Post Oak Manor, Westwood, Woodshire and portions of Woodside, all located west of South Main. Finally, it receives an additional portion of Midtown.

District E loses portions of the Sun Valley and Freeway Manor subdivisions, as well as Precinct 260 in the Galena Park ISD. District F loses the northwest portion of Alief and the southern portion of Alief. It gains the Gulfton community, portions of Robindell and apartments that include homes in Maplewood. District G loses Memorial and the portions of HISD west of Gessner. It gains portions of Spring Branch south of Westview east of Wirt, northwestern Alief and the portion of the Alief ISD north of the Westpark Tollway. District H loses most of the Northline and Northside area, parts of Woodland Heights and Norhill in the Greater Heights area. It gains one precinct in Fifth Ward, the Clinton Park neighborhood and the area around East Crosstimbers and Lockwood. Precinct 75 in the Sunset Heights area is added, which also adds the northern portions of Houston Heights. Precincts 69 and 530 along Wayside at Harrisburg and Navigation are transferred from District I. Finally, the Home Owned Estates and Hunterwood neighborhoods in the Galena Park ISD, as well as the Northshore area of HISD are added to the district. District I loses Precincts 69 and 530, Clinton Park and Northshore, and Precinct 379. It gains neighborhoods along the South Belt, as well as portions of Sun Valley, Sagemont, and Freeway Manor. District J would consist of the Willowbrook Mall area, the portion of the Cypress Fairbanks ISD on either side of US 290, the western portion of the Greater Inwood area, the central and northeastern portions of Spring Branch, Mangum Manor, Forest West and Forest Pines, Candlelight Oaks, Candlelight Estates, Candlelight Plaza, portions of Oak Forest, Garden Oaks and Shepherd Park Plaza, and, finally, the portions of the Northline and Northside area removed from H. District K would consist of Fort Bend Houston, portions of Central Southwest, portions of Westbury, Fondren Southwest, Forum Park, Braeburn Valley West, Glenshire, and the southern portion of Alief.

As the above description makes clear, this plan creates an extensive list of newly split neighborhoods. These include Spring Branch, Alief, Westbury, Oak Forest, Garden Oaks, Woodland Heights, Houston Heights, the Northline and Northside areas, Fifth Ward, Overbrook, Sun Valley, Sagemont, Freeway Manor, Shepherd Park Plaza, Rice Military, Willowbend and Greater Inwood.

The Guerra One Plan reduces the Spanish Surnamed Registered Voter (SSRV) percentage in District H from 45.6% in the original staff plan to 43.9%. It also lowers the SSRV percentage in I from 47.7% in the original staff plan to 45.1%. In line with these changes, it also changes the Hispanic population in both districts by small amounts. District H goes from 71% Hispanic in total population to 67.5% and from 66.2% Voting Age Population (VAP) to 63.1%. District I goes from 77.1% Hispanic in total population

to 74.1%, while its Hispanic VAP drops from 73.5% to 70.4%. In an election with polarized voting between Hispanic and non-Hispanic voters, these changes may endanger the opportunity of the Hispanic community to select a representative of their choice.

Additionally, the Guerra One Plan reduces the Asian population in District F from 14.4% total population to 10.9%. It reduces the Asian VAP in F from 16.4% to 12.6%.

Because of the multiple new neighborhood splits, the significant reduction in the Asian population in District F, and the reduction in Spanish Surnamed Registered Voters in both Districts H and I, this plan is not recommended.

The Guerra Two Plan will be described in terms of its differences from the revised staff plan described above. It adopts many of the characteristics of the Jara Plan with some very important differences. The plan is described district by district.

District A would lose the western portion of Spring Branch, and the area south of Westview east of Wirt. It would also lose the Park Ten area, and the Cole Creek Manor subdivision in the Cypress Fairbanks ISD north of US 290, and Precinct 147 in Greater Inwood. It would gain precincts 73, 324, and 578 in the Oak Forest and Garden Oaks area. Finally, it would gain portions of the Northside centered on the intersection of I-45 and Parker Road. District B would gain Precinct 147 and lose Precincts 83, 767 and 840, which are located on the North Belt east of US 59. District C would lose portions of the Oak Forest and Garden Oaks area as described above, and Robindell and part of Maplewood west of Hillcroft. It would gain precinct the Cole Creek Manor neighborhood from District A, as well as the portion of Spring Branch south of Westview and east of Wirt. District D would lose Precinct 849 in the area of Telephone Road and Alameda Genoa, and gain Precinct 131, centered on the old Alameda town site in the Central Southwest super neighborhood.

District E would gain the area east of US 59 at the North Belt, and lose Precincts 289 and 755 east of the Gulf Freeway at Edgebrook and Alameda Genoa Road. District F would retain the limited purpose annexation areas and Park Ten area included in the district in the original staff plan, but removed in the revised staff plan. It would also gain two Spring Branch precincts west of the West Belt. District G would remain unchanged. District H would lose the northwestern portion of the Northside, and Precinct 11 east of Lockwood at Navigation and Harrisburg. It would gain the Home Owned Estates and Hunterwood neighborhoods in Galena Park ISD, Clinton Park, and the Northshore area of HISD from District I. District I gains Precinct 11 from H, Precinct 849 from D, and Precincts 289 and 755 from E. It loses the Clinton Park and Northshore areas.

District J gains Precincts 8, 315, and 685 from C, which includes the Robindell and part of Maplewood west of Hillcroft. District K loses precinct 131 in Central Southwest.

The Guerra Two Plan reduces the number of new neighborhood splits from the number included in Guerra One, but still results in splits in Spring Branch, Oak Forest, Garden Oaks, the Northside, Sun Valley, Gulf Meadows, Skyscraper Shadows, Inwood Forest, Oaks of Inwood, Inwood Pines, and Maplewood.

Because District I would receive the predominantly Hispanic Precinct 11 (90.1% Hispanic in total population, 67% Spanish surnamed registered voters) from H, its percentage of Spanish surnamed registered voters increases from 47.7% to 48.4%. But District H, which has consistently had a smaller SSRV than District I, would be reduced from 45.6% to 44.2%. This reduction is less than under the Guerra One Plan, but still significant in light of the possibility of polarized voting in the district.

The Guerra Two Plan raises the Hispanic total population in District A from 56.7% in the revised staff plan to 60.2% and the SSRV in District A from 19.6% in the revised staff plan to 23.3%. On the other hand, it lowers the Hispanic total population in District J under the revised staff plan from 63.1% to 61.9%. It also lowers the Hispanic total population in District J in the revised staff plan from 63.1% to 61.9%, and the SSRV from 17.3% to 16.7%.

Although the Guerra Two Plan raises the Hispanic population in District A significantly, the Hispanic population makes up only about 23% of the registered voters in the district. The Anglo population in the proposed District A would still constitute almost 50% of the non-Hispanic voting age population. Given the older age profile of the Anglo population, and their well-established turnout patterns, it is reasonable to conclude that Anglo voters would constitute the majority of registered voters in municipal elections for the foreseeable future. This is not true of District J, where no single ethnicity would constitute a majority of voters.

The Guerra Two Plan splits a long list of neighborhoods that remain united in the revised staff plan, and does not reunite any neighborhoods in the process. It raises the Hispanic voting strength in District I, but lowers it in District H. It raises the Hispanic voting strength in District A, but lowers it in District J. Because of the negative effect on neighborhoods, and on the ability of the Hispanic community to elect a candidate of their choice in the presence of polarized voting, it is not recommended.

The Guerra Three Plan radically reorganizes most city council districts. It reduces the African American percentage in District B from 53.2% in the revised staff plan to 46.2% of total population by adding much of Oak Forest, Garden Oaks, Lazybrook, Timbergrove, Shady Acres and part of Houston Heights. It also draws a District J which stretches from east of the Gulf Freeway at the South Belt to Hillcroft at the South Belt. This District J also stretches north to include part of the Eastwood neighborhood north of the Gulf Freeway at Cullen Boulevard. The long list of neighborhoods split by the various district configurations proposed in this plan does not need to be listed to draw a conclusion about the merits of this plan.

Because the Guerra Three Plan adds significant portions of the Houston Heights and Fifth Ward to District H and removes a significant number of heavily Hispanic precincts, it lowers its Hispanic total population from 71% in the revised staff plan to 70.1%. More significantly, it lowers its Spanish surnamed registered voter percentage from 45.6% to 38.9%. Because the Guerra Three Plan adds the Northshore area, Midtown, and part of Fifth Ward to District I, it lowers the Hispanic total population from 77.1% to 68.7%.

More significantly, it lowers the Spanish surnamed registered voter percentage from 47.7% to 39.3%. These reductions are made in order to create a new District J which has a Hispanic total population of 64% and a Spanish surnamed registered voter percentage of 31.1%. Thus, although the Guerra Three Plan created perhaps the strongest additional Hispanic district, it is unlikely that this new District J would be an effective Hispanic district, and creating it required reductions in the strength of Districts H and I below 40% SSVR. Because of this retrogression in the ability of the Hispanic communities in Districts H and I to select representatives of their choice in the presence of polarized voting, this plan is not recommended.¹

Plans Not Evaluated

As mentioned above, one of the plans proposed by **Dr. Reynaldo Guerra** includes district boundaries which split voting precincts. Because this poses state law issues and significant, if not insurmountable, problems of election administration, it was not evaluated.

A plan proposed by **Mr. Chuck Davison** creates retrogression in both District H and District I, and so it is not evaluated. Although it produces districts which are compact, it also splits many neighborhoods, and often uses boundaries that are complicated and use local streets. A plan submitted by **Mr. R. Thornburg** creates a District B which is split into three non-contiguous areas, so it is not evaluated.

A sixteen district plan was submitted by **Mr. Vidal Martinez** to illustrate a possible districting plan under the notion of a change in the City Charter which would eliminate at-large representation. The City cannot propose any changes to the City Charter before 2012 because of a provision of the Texas Constitution. Therefore, Mr. Martinez's plan was not evaluated. It should be noted, however, that the historical ability to elect minority at-large council members in Houston would caution against a sixteen single member district system, in any event.

¹Councilmember Johnson also requested information on the possible reassignment of Precinct 147 from District A to District B. While both the resulting districts would fall within the allowable range of total population, and would produce small changes in the demographics of the districts, it would split the Greater Inwood area and specifically split the Inwood Forest, Oaks of Inwood and Inwood Pines subdivisions. Speakers at the District A town hall meeting requested that the Greater Inwood area kept united and kept in District A. No speakers at either the District A meeting, the District B town hall meeting or at the public hearings requested the transfer of Precinct 147 to District B. Because of the neighborhood split which would result, this change is not recommended.