

IN THE COMMISSIONERS COURT OF  
CLAY COUNTY, TEXAS

FINDINGS OF FACT REGARDING POLITICAL BOUNDARIES  
OF CLAY COUNTY, TEXAS  
FOLLOWING PUBLICATION OF 2020 CENSUS DATA  
AND  
ORDER FOR REDISTRICTING OF POLITICAL BOUNDARIES

On the 5th day of November 2021, the Commissioners Court of Clay County met in regular/called session, having posted notice of said hearing in compliance with Chapter 551 of the Texas Government Code.

The Commissioners Court of Clay County has previously retained the firm of Allison, Bass & Magee, LLP, of Austin, Texas, to conduct an Initial Assessment of existing political boundaries of Clay County, 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 Clay County, Texas.

Based upon this information, Clay County has a total maximum deviation of 14.88%. The term total maximum deviation is determined by dividing the total population of Clay County by four, the number of Commissioners Court precincts to determine an ideal precinct size. The actual population of each precinct 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 precinct is compared to the ideal precinct 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.

As a result of this determination, Clay County has a constitutional duty to redistrict its political boundaries so as to achieve "One-Person-One-Vote" numerical balance between the four commissioners court precincts 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.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the Commissioners Court of Clay County, Texas expressly finds that it has a legal duty to redistrict. The public interest will be served by redrawing the existing political boundaries of Clay County in such a manner as to comply with applicable state and federal law. The Commissioners Court hereby enters the following findings of fact and of law:

1. Clay County has a total maximum deviation, as defined in this order, of 14.88%.
2. Any total maximum deviation in excess of ten percent (10%) is presumptively unconstitutional under federal law.
3. Clay County, acting by and through its Commissioners Court, is hereby resolved to immediately undertake such necessary and appropriate action to accomplish redistricting of existing commissioners court precincts, and any incidental modification of existing, consolidated, or newly created election precincts necessary to accomplish such redistricting.
4. The Commissioners Court 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 Clay County.
5. After due consideration of one or more alternative plans, Clay County shall adopt a plan deemed to satisfy legal requirements, and which best suits the legitimate governmental needs of Clay County.
6. The adopted redistricting plan will address political boundaries of the Commissioners Court, Justice of the Peace and Election precincts of Clay County, and shall remain in effect until altered or amended by subsequent Order of the Commissioners Court.

Signed this 5th day of November 2021.

Richard Lowery  
Commissioner, Precinct 1

Johnny Bee  
Commissioner, Precinct 2

Joe  
Commissioner, Precinct 3

Alan Brown  
Commissioner, Precinct 4

Mark Egan  
County Judge, Clay County

Nasha Nelson  
County Clerk, Clay County

