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Recommended By: Census 2020 Redistricting Committee
and the Committee of the Whole

Submitted By: President Wardine T. Alexander

ORDINANCE NO. 22-45

AN ORDINANCE TO REAPPORTION COUNCIL DISTRICT BOUNDARIES FOR THE CITY OF BIRMINGHAM, ALABAMA.

WHEREAS, Section 2-2-62 of Ordinance No. 00-194, provides that within six months of the publication of the last Federal Census of the population of the City of Birmingham, there shall be a reapportionment of the Council districts in the manner hereinafter provided:

“(a) The President of the City Council or any member thereof shall, within six months after the publication of the last federal census of population for the City, file with the City Clerk a proposed ordinance containing a recommended plan for reapportionment of the Council district boundaries to comply with the following specifications:

(i) Each district shall be formed of contiguous and, to the extent reasonably possible, compact territory and its boundary lines shall be the center lines of streets or other well-defined boundaries.

(ii) Each District shall contain as nearly as is reasonable the same population. The proposed ordinance shall include a map and description of the districts recommended.

“(b) The Council shall consider the redistricting plan or plans filed with the City Clerk as follows:

(i) The order of consideration of any plan shall be in the order of said filing with the City Clerk.

(ii) After a proposed ordinance is filed with the City Clerk and prior to its consideration for adoption, the City Clerk shall place a resolution on the Council agenda within ten days which shall set a date for public hearing by the Council for consideration of such ordinance, such hearing to be set no less than 28 days nor more than 42 days from the date of passage of such resolution, and, which shall also provide that notice that a redistricting ordinance shall be considered shall be published once a week in a newspaper of general circulation in the City for the three (3) successive weeks prior to the scheduled hearing, setting out a general



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description of the subject of the hearing, the date, and time of the hearing and that a copy of the ordinance will be available for public inspection in the Office of the City Clerk during normal business hours.

(iii) No such ordinance shall become effective until after a public hearing in relation thereto, at which citizens shall have an opportunity to be heard. The first of such proposed ordinances which receives five (5) affirmative votes of the Council shall be deemed the duly enacted redistricting ordinance.

“(c) Such redistricting ordinance shall not apply to any regular or special municipal election held within (6) months after its becoming effective or until necessary approval of preclearance has been obtained pursuant to the Voting Rights Act of 1965, as amended, and the applicable procedures contained in Part 51 of the Code of Federal Regulations, whichever is later. No incumbent Council Member shall be deprived of his or her unexpired term of office because of such redistricting.”; and

WHEREAS, the 2020 Decennial Federal Census was released to the City of Birmingham in final form in August 2021; and

WHEREAS, a proposed map and ordinance were filed with the City Clerk on or about February 17, 2022; and

WHEREAS, on February 22, 2022, the Council adopted Resolution No. 331-22, which set a public hearing to be held during a special called meeting of the Council on March 29, 2022 at the Birmingham CrossPlex at 5:30 p.m. and required publication of notice of the hearing once a week in a newspaper of general circulation in the City for the three weeks preceding the hearing; and

WHEREAS, a public hearing was held on March 29, 2022, pursuant to Resolution No. 331-22, at which the Council received comments on the proposed map and ordinance; and

WHEREAS, during the hearing on March 29, 2022, the Council left the hearing open to receive additional comments and make final adjustments to the proposed map during a period ending April 19, 2022; and

WHEREAS, on April 12, 2022, the Council adopted Resolution No. 666-22, restating its intent to continue to receive comments and to consider adoption of the final proposed map and ordinance on April 19, 2022; and

WHEREAS, Appendix **One**, attached hereto and incorporated herein, sets forth each reapportioned Council District in accordance with the requirements set out in Section 2-2-62 of said Ordinance; and

WHEREAS, Appendix **Two**, attached hereto and incorporated herein, sets for the guidelines for the 2020 redistricting of the City of Birmingham; and

WHEREAS, Appendix **Three** contains the reapportionment map depicting the nine single member



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council district boundaries for each council district of the City of Birmingham which by reference is incorporated herein and maintained in the office of the City Clerk of the City of Birmingham. Such map shall be available for inspection by the public at all reasonable times; and

WHEREAS, it is the duty of the Council of the City of Birmingham to enact a redistricting ordinance:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BIRMINGHAM, ALABAMA that:

Section 1: The Council does hereby adopt and approve the reapportionment plan encompassing the areas within the City of Birmingham establishing the new boundaries for the nine (9) Council districts of the City as specifically described and set forth in Appendix One and by the reapportionment map set forth in Appendix Three and on file in the office of the City Clerk, said descriptions being attached hereto and incorporated herein in full by reference.

Section 2: The designation and boundaries of the nine single-member Council districts for the City of Birmingham are specifically described and set forth in Appendix One. Appendix One is incorporated herein as a part of this Ordinance and is on file in the office of the City Clerk; and

Section 3: The "2020 Redistricting Guidelines for the City of Birmingham" is made a part of this Ordinance by reference hereto as Appendix Two.

Section 4: The reapportionment map depicting the nine single-member Council district boundaries for each Council district of the City of Birmingham is made a part of this Ordinance by reference hereto as Appendix Three and is on file in the office of the City Clerk.

Section 5: In the event there is a conflict in the Council district boundary lines set forth in Appendix One and Appendix Three, the boundary lines depicted on the map (Appendix Three) shall govern.

Section 6: If any part or section of the Ordinance is declared or becomes invalidated for any reason, then the remaining portion of this Ordinance shall not be affected and shall remain in full force and effect.

Section 7: All Ordinances of the City of Birmingham or parts of such Ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby expressly repealed.

Section 8: This Ordinance shall take effect upon its passage, approval and publication, or as otherwise provided by law. Within a reasonable time after the adoption of this Ordinance by the Council, the Clerk of the City of Birmingham shall file with the Judge of Probate of Jefferson County, Birmingham Division and of Shelby County, a certified copy of this Ordinance accompanied by the map contained in Appendix Three which shows the boundaries of all such Council districts.

Adopted by the Council April 19, 2022 and Approved by the Mayor April 25, 2022



A CERTIFIED COPY
Lee Frazier, City Clerk
Birmingham, AL
Lee Frazier

APPENDIX 2

as approved by the CRC 1/18 and the CoW 1/19 (2022)



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GUIDELINES FOR CITY OF BIRMINGHAM

2020 REDISTRICTING

Alabama law commits the authority to adjust boundaries for municipal election districts to the discretion of the local jurisdictions themselves. Ala. Code, 1975, Sec. 11-46-23; Sec. 11-43-63. Under its local ordinance § 2-2-62, the City of Birmingham must redraw its City Council and School Board districts to account for population changes that are reported in each U.S. Census.

Having noted the publication of the 2020 U.S. Census in August of 2021, the City Council of Birmingham now proposes to draw a new map containing nine electoral districts which, upon final approval and enactment, will take immediate effect as the governing districts for the Birmingham City Council and Birmingham School Board.

The districts defined in the newly enacted map will be utilized in the next regularly scheduled city elections during this decade for elected positions on the Birmingham City Council and Birmingham School Board (i.e., in 2025 and 2029, and if necessary under existing law, in any special elections due to vacancies following the date of the new map's enactment).

The following general guidelines shall govern the process for developing the new map of election districts for the City of Birmingham following the 2020 Census:

1. **Equal Population:** Districts will comply with the 14th Amendment to the U.S. Constitution, which commands that election districts contain equal populations. Under local ordinance, the governing standard is to craft election districts “as nearly as is reasonable” to the same population. Using the dataset and defined geographical units from the 2020 U.S. Census (specifically, PL 94-171), the Council will consider map proposals with nine single member districts whose total populations lie within a range of plus-or-minus 5% deviation of the mathematically ideal district size of 22,304 persons.
2. **Compliance with Law:** Districts will comply with existing state and federal law, including the Voting Rights Act § 2, which assures that “No voting qualification or prerequisite to voting or standard, practice, or procedure, shall be imposed or applied by any State or political subdivision in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color” § 52 U.S.C. 10301(a).
3. **Contiguity:** In accordance with Local Ordinance § 2-2-62, each election district must be fully contiguous, i.e., connected to the remainder of the district, while accounting for the city's existing boundaries (which includes certain non-contiguous areas).
4. **Compactness:** Districts shall be reasonably compact by standard measures, while accounting for the city's existing boundaries. Local ordinance § 2-2-62 states that districts “to the extent

reasonably possible” must include compact territory and that boundary lines shall be the center lines of streets or other well-defined boundaries.

5. **Communities of Interest:** Districts, where practicable, will respect existing communities of interest – i.e., geographic areas that reflect shared political, social, or cultural interests. Communities of Interest include (but are not limited to) the boundaries of the 99 city-recognized Neighborhoods. The public is encouraged to provide input detailing specific communities of interest that ought to be preserved where practicable.
6. **Maintaining District Representation:** Where possible, maps should avoid creating districts that lack existing representation. In light of the city’s recent elections and the immediate effect of a new district map, respect for the expressed choices of Birmingham voters favors assuring that every redrawn district include one representative (note, however, that the assignment of a specific geographic area to a particular representative may change). Accordingly, residences of current City Council and School Board members will be included in the information used in the redistricting process; however, this consideration alone will not take priority over the other principles described in these guidelines.



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Birmingham Council Districts DRAFT Proposed

All Population by Race + Ethnicity

PROPOSED - Passed Feb 14

District No.	TOTAL Population	Ideal Population	Excess / (Deficit) from Ideal Deviation	Target Deviation (%)	Hispanic of Any Race POP	NH - White Alone POP	NH - Black or AfAm Alone POP	NH - All Other Races Alone POP	NH - Two or More Race POP	Hispanic of Any Race POP Percent	NH - White Alone POP Percent	NH - Black or AfAm Alone POP Percent	NH - All Other Races Alone POP Percent	NH - Two or More Race POP Percent
D1	23,157	22,304	853	103.8%	966	2,908	18,643	204	436	4.17%	12.56%	80.51%	0.88%	1.88%
D2	22,530	22,304	226	101.0%	1,083	12,267	7,845	630	705	4.81%	54.45%	34.82%	2.80%	3.13%
D3	22,378	22,304	74	100.3%	1,442	13,895	5,281	1,053	707	6.44%	62.09%	23.60%	4.71%	3.16%
D4	21,561	22,304	(743)	96.7%	1,111	1,528	18,358	175	389	5.15%	7.09%	85.14%	0.81%	1.80%
D5	21,699	22,304	(605)	97.3%	976	5,474	14,412	297	540	4.50%	25.23%	66.42%	1.37%	2.49%
D6	21,805	22,304	(499)	97.8%	1,165	4,337	14,733	1,122	448	5.34%	19.89%	67.57%	5.15%	2.05%
D7	21,660	22,304	(644)	97.1%	599	2,896	17,201	545	419	2.77%	13.37%	79.41%	2.52%	1.93%
D8	23,101	22,304	797	103.6%	786	1,551	20,212	128	424	3.40%	6.71%	87.49%	0.55%	1.84%
D9	22,842	22,304	538	102.4%	1,146	1,137	20,046	131	382	5.02%	4.98%	87.76%	0.57%	1.67%
TOTAL	200,733				9,274	45,993	136,731	4,285	4,450	4.62%	22.91%	68.12%	2.13%	2.22%



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POPULATION with RECOMMENDED 3 SHIFTS

District No.	TOTAL Population	Ideal Population	Excess / (Deficit) from Ideal Deviation	Target Deviation (%)	Hispanic of Any Race POP	NH - White Alone POP	NH - Black or AfAm Alone POP	NH - All Other Races Alone POP	NH - Two or More Race POP	Hispanic of Any Race POP Percent	NH - White Alone POP Percent	NH - Black or AfAm Alone POP Percent	NH - All Other Races Alone POP Percent	NH - Two or More Race POP Percent
D1	23,157	22,304	853	103.8%	966	2,908	18,643	204	436	4.17%	12.56%	80.51%	0.88%	1.88%
D2	22,530	22,304	226	101.0%	1,083	12,267	7,845	630	705	4.81%	54.45%	34.82%	2.80%	3.13%
D3	21,827	22,304	(477)	97.9%	1,399	13,488	5,246	1,014	680	6.41%	61.80%	24.03%	4.65%	3.12%
D4	22,036	22,304	(268)	98.8%	1,235	1,555	18,671	176	399	5.60%	7.06%	84.73%	0.80%	1.81%
D5	21,775	22,304	(529)	97.6%	895	5,854	14,134	335	557	4.11%	26.88%	64.91%	1.54%	2.56%
D6	21,805	22,304	(499)	97.8%	1,165	4,337	14,733	1,122	448	5.34%	19.89%	67.57%	5.15%	2.05%
D7	21,660	22,304	(644)	97.1%	599	2,896	17,201	545	419	2.77%	13.37%	79.41%	2.52%	1.93%
D8	23,101	22,304	797	103.6%	786	1,551	20,212	128	424	3.40%	6.71%	87.49%	0.55%	1.84%
D9	22,842	22,304	538	102.4%	1,146	1,137	20,046	131	382	5.02%	4.98%	87.76%	0.57%	1.67%
TOTAL	200,733				9,274	45,993	136,731	4,285	4,450	4.62%	22.91%	68.12%	2.13%	2.22%

FEB Adopted Proposed Redistricting

Total Population										Current District									POP of Proposed District		POP as % of Ideal District	
Proposed District										D1	D2	D3	D4	D5	D6	D7	D8	D9				
D1										21,898	1,259									23,157	103.8%	
D2											21,911	376		243						22,530	101.0%	
D3												18,503		1,775	2,100				22,378	100.3%		
D4										2,604	492		18,457						8	21,561	96.7%	
D5											2,905	631	1,540	16,349	274				21,699	97.3%		
D6												3,214		289	17,193	1,068	41		21,805	97.8%		
D7															633	19,947	1,080		21,660	97.1%		
D8														1,556	1,459	1,031	18,823	232	23,101	103.6%		
D9													391	2,755			240	19,456	22,842	102.4%		
POP of Current District										24,502	26,567	22,724	20,388	22,967	21,659	22,046	20,184	19,696	200,733		7.16%	
POP as % of Ideal District										109.9%	119.1%	101.9%	91.4%	103.0%	97.1%	98.8%	90.5%	88.3%		30.81%		
How to read chart: D1 had 24,502 people and under plan would have 23,157. 21,898 people do not change districts. 2,604 people from current D1 are moved to D4. 1,259 people who were in D2 are moved to D1.																						

FEB Adopted Proposed Redistricting (Percent of Current District POP Retained / Moved)

Total Population										Current District									POP of Revised District		POP as % of Ideal District
Proposed District	POP as % of	1	2	3	4	5	6	7	8	9											
1		94.6%	5.4%																23,157	103.8%	
2			97.3%	1.7%		1.1%													22,530	101.0%	
3				82.7%															22,378	100.3%	
4		12.1%	2.3%		85.6%														21,561	96.7%	
5			13.4%	2.9%	7.1%	75.3%	1.3%												21,699	97.3%	
6				14.7%		1.3%	78.8%	4.9%	0.2%										21,805	97.8%	
7							2.9%	92.1%	5.0%										21,660	97.1%	
8						6.7%	6.3%	4.5%	81.5%	1.0%									23,101	103.6%	
9					1.7%	12.1%			1.1%	85.2%									22,842	102.4%	
POP of Current District		24,502	26,567	22,724	20,388	22,967	21,659	22,046	20,184	19,696	200,733		7.16%								
POP as % of Ideal District		109.9%	119.1%	101.9%	91.4%	103.0%	97.1%	98.8%	90.5%	88.3%			30.81%								
How to read chart: The proposed D1 has 94.6% of POP who currently live in D1. The other 5.4% of POP for D1 comes from D2. People moved from D1 make up 12.1% of D4																					

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Proposed Redistricting with 3 Swaps

Total Population		Current District									POP of Proposed District	POP as % of Ideal District
Proposed District	D1	D2	D3	D4	D5	D6	D7	D8	D9			
D1	21,898	1,259									23,157	103.8%
D2		21,911	376		243						22,530	101.0%
D3			18,630		1,097	2,100					21,827	97.9%
D4	2,604	492		18,932						8	22,036	98.8%
D5		2,905	504	1,065	17,027	274					21,775	97.6%
D6			3,214		289	17,193	1,068	41			21,805	97.8%
D7						633	19,947	1,080			21,660	97.1%
D8					1,556	1,459	1,031	18,823	232		23,101	103.6%
D9				391	2,755			240	19,456		22,842	102.4%
POP of Current District	24,502	26,567	22,724	20,388	22,967	21,659	22,046	20,184	19,696	200,733		6.71%
POP as % of Ideal District	109.9%	119.1%	101.9%	91.4%	103.0%	97.1%	98.8%	90.5%	88.3%			30.81%

How to read chart: D1 had 24,502 people and under plan would have 23,157. 21,898 people do not change districts. 2,604 people from current D1 are moved to D4. 1,259 people who were in D2 are moved to D1.

Proposed Redistricting with 3 Swaps (Percent of Current District POP Retained / Moved)

Total Population		Current District									POP of Revised District	POP as % of Ideal District
Proposed District	POP as % of	1	2	3	4	5	6	7	8	9		
1	94.6%		5.4%								23,157	103.8%
2		97.3%		1.7%		1.1%					22,530	101.0%
3				85.4%	0.0%	5.0%	9.6%				21,827	97.9%
4	11.8%	2.2%			85.9%					0.0%	22,036	98.8%
5		13.3%	2.3%		4.9%	78.2%	1.3%				21,775	97.6%
6				14.7%		1.3%	78.8%	4.9%	0.2%		21,805	97.8%
7						2.9%	92.1%		5.0%		21,660	97.1%
8						6.7%	6.3%	4.5%	81.5%	1.0%	23,101	103.6%
9					1.7%	12.1%			1.1%	85.2%	22,842	102.4%
POP of Current District	24,502	26,567	22,724	20,388	22,967	21,659	22,046	20,184	19,696	200,733		6.71%
POP as % of Ideal District	109.9%	119.1%	101.9%	91.4%	103.0%	97.1%	98.8%	90.5%	88.3%			30.81%

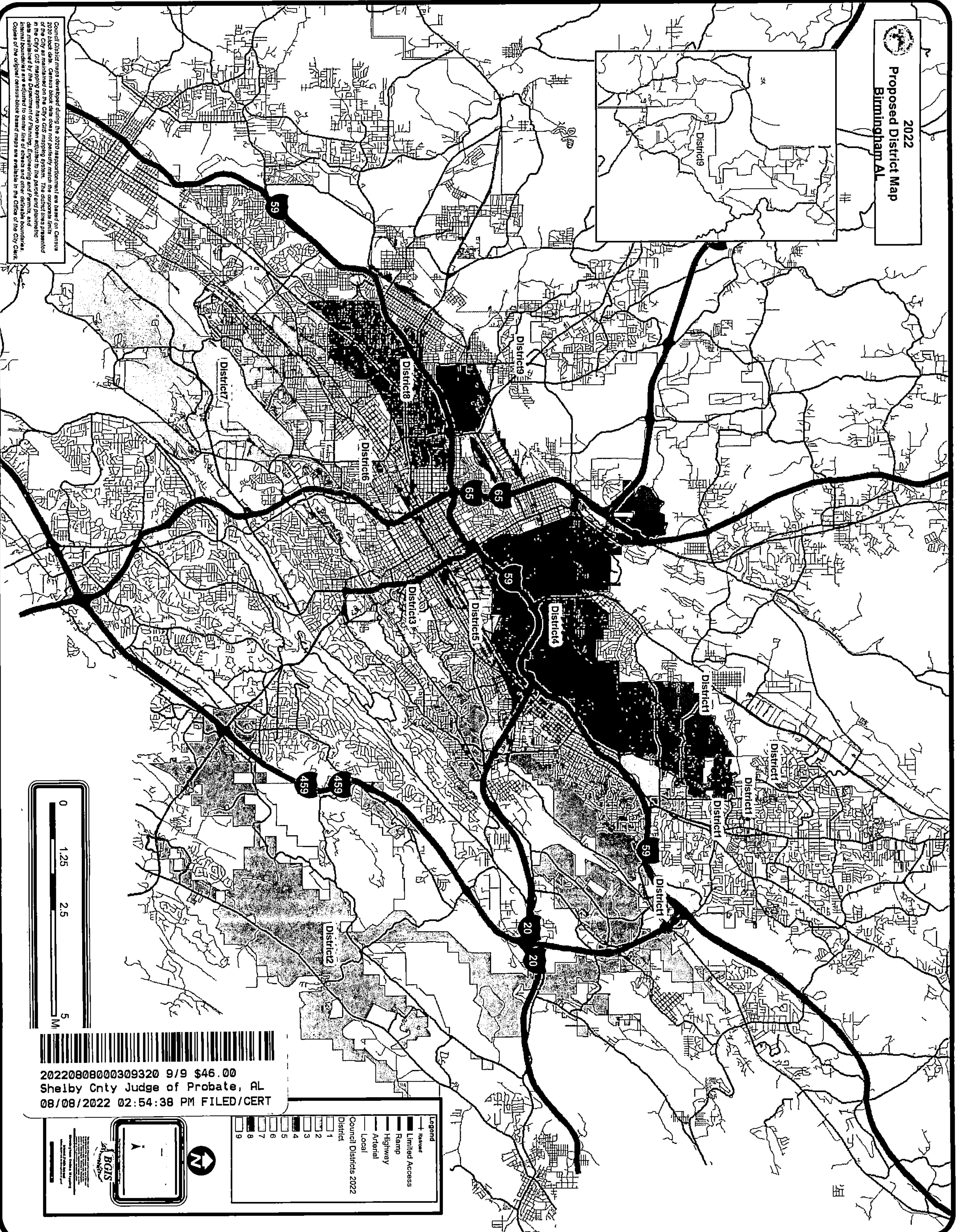
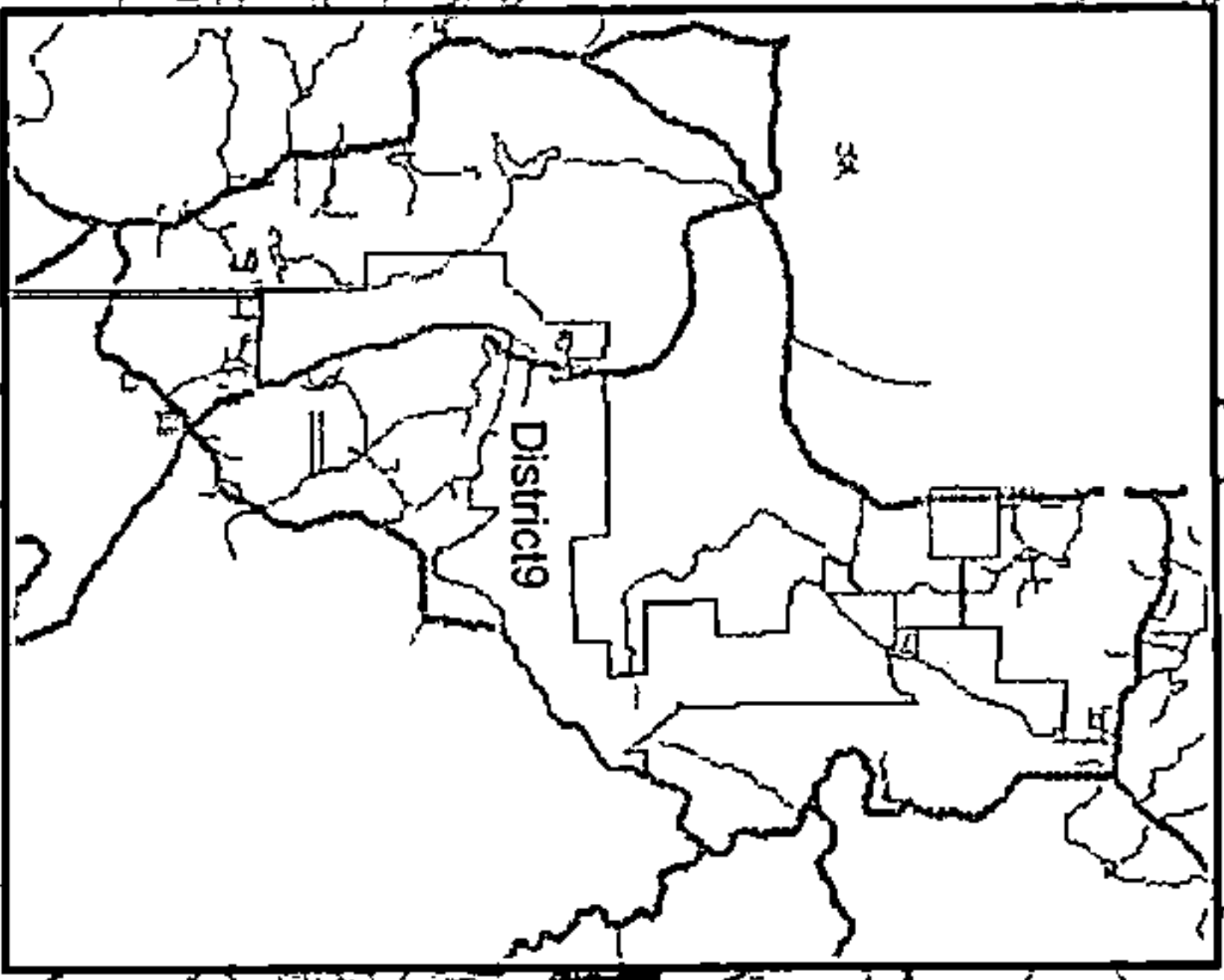
How to read chart: The proposed D1 has 94.6% of POP who currently live in D1. The other 5.4% of POP for D1 comes from D2. People moved from D1 make up 12.1% of D4



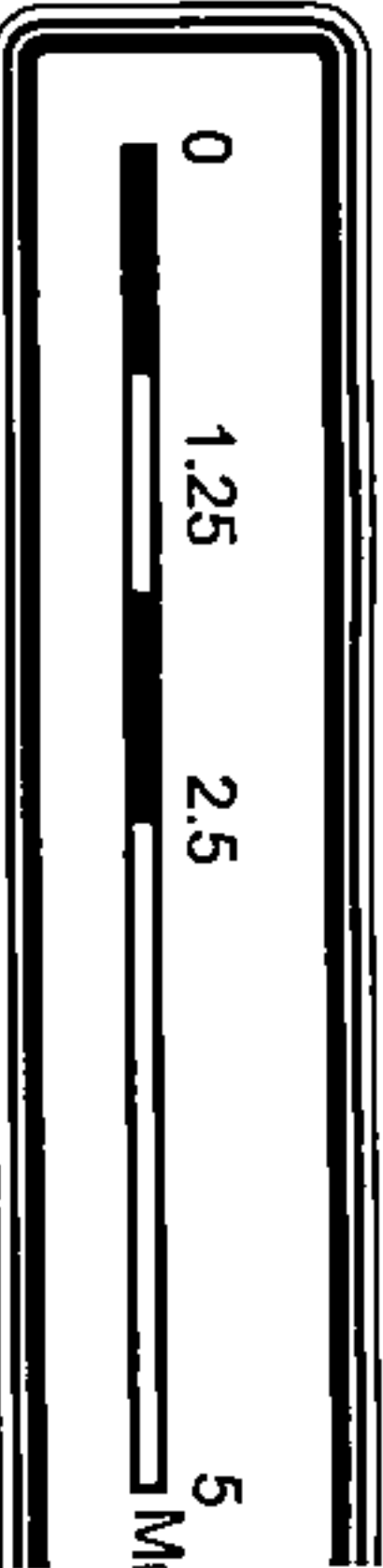
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2022
Proposed District Map
Birmingham, AL



Council District maps developed during the 2020 reapportionment are based on Census 2020 block data. Census block data does not perfectly align with the actual lines presented in the City's GIS mapping system. The actual lines presented in the City's GIS mapping system have been adjusted to the actual and historic internal boundaries as maintained by the Department of Planning, Engineering and Permitting, and Internal Boundaries are adjusted to center line of streets and other desirable boundaries. Copies of the original census-block based maps are available in the Office of the City Clerk.



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Legend

- Railroad
- Limited Access
- Ramp
- Highway
- Arterial
- Local

Council Districts 2022

District	1	2	3	4	5	6	7	8	9
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