

RESOLUTION 11—32

**A RESOLUTION
TO HOLD A PUBLIC HEARING ON A PROPOSAL TO DELAY THE 2011
MUNICIPAL ELECTIONS
PURSUANT TO N.C.G.S. §160A-23.1**

WHEREAS, the 2010 Census redistricting data providing block-by-block counts (and counts broken down by race) has recently been released, but is not yet “snapped” onto the City’s GIS system and may not be in usable form by the City of Henderson for days or weeks thereafter; *and*

WHEREAS, the City of Henderson is unable to determine the respective populations in its various electoral districts and thus compare the populations of the various districts (necessary to comply with the “one-person one-vote” requirement); *and*

WHEREAS, the City of Henderson is committed to provide fair elections and equal representation for all of its citizens and to uphold the one-person, one-vote principle guaranteed by the United States Constitution; *and*

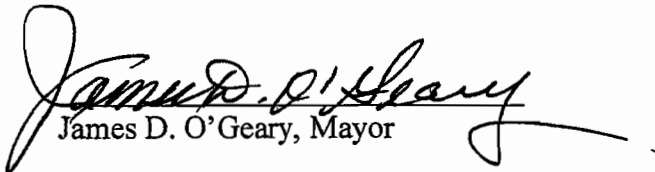
WHEREAS, the City of Henderson is reluctant to delay its 2011 elections to allow for adjusting its electoral boundaries without allowing full and open debate and public participation in the decision process by all citizens; *and*

WHEREAS, the present filing period for elections and municipal elections for election districts is expected to open on July 20, 2011, but any delay in the election (as permitted by the General Statutes) is subject to a 90 day review by the Department of Justice under Section 5 of the Voting Rights Act.

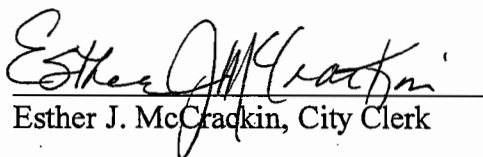
NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Henderson that a public hearing be held at 7:00 o’clock PM on the 11th day of April, 2011 in the City Council Chambers in City Hall on Rose Avenue in Henderson, North Carolina on the question of delaying the 2011 municipal elections pursuant to N.C.G.S. §160A-23.1.

BE IT FUTHER RESOLVED that a notice of said public hearing be posted at the City Hall door and published in The Daily Dispatch at least once 7 days before the date of said public hearing.

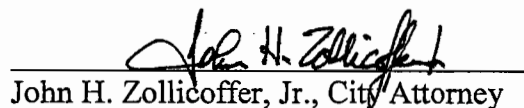
The foregoing Resolution 11—32, upon motion of Council Member Peace-Jenkins and second by Council Member Rainey, and having been submitted to a roll call vote received the following votes and was APPROVED on this the 28th day of March, 2011: YES: Rainey, Peace-Jenkins, Daeke, Davis, Daye, Kearney and Coffey. NO: None. ABSTAIN: None. ABSENT: Inscoe.


James D. O'Geary, Mayor

ATTEST:


Esther J. McCrackin, City Clerk

Approved to Legal Form:


John H. Zollicoffer, Jr., City Attorney

Reference: Minute Book 42, pp. 79.