

**RESOLUTION 11—37****A RESOLUTION  
TO DELAY THE 2011 MUNICIPAL ELECTIONS  
PURSUANT TO N.C.G.S. §160A-23.1**

**WHEREAS**, the North Carolina General Assembly amended Chapter 160A of the North Carolina General Statutes to add new section 160A-23.1; *and*

**WHEREAS**, N.C.G.S. 160A-23.1 creates special rules for redistricting after the 2010 census, authorizing municipalities with electoral districts to delay 2011 municipal elections by resolution if redistricting may not be completed by the third business day before the municipal election filing period opens; *and*

**WHEREAS**, the City of Henderson elects some of the members of its governing body by and from districts; *and*

**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**, until the block-by-block redistricting data is available in usable form, 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**, preliminary review by the City Council of the City of Henderson indicates that there could be population imbalances in the current electoral districts so significant that it might not be lawful to hold the next municipal election using the current districts; *and*

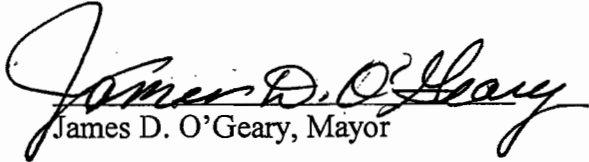
**WHEREAS**, the City of Henderson is committed to provided fair elections and equal representation for all of its citizens and to upholding the one-person, one-vote principle guaranteed by the United States Constitution; *and*

**WHEREAS**, redistricting is an important matter of public concern; *and*

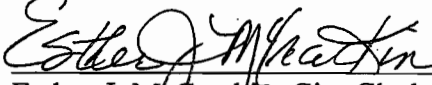
**WHEREAS**, the City of Henderson is reluctant to adjust its electoral boundaries without allowing full and open debate and public participation in the decision process by all citizens; *and*

**WHEREAS**, the present filing period for elections and municipalities with election districts is scheduled to open July 20, 2011; *and*

The foregoing Resolution 11—37, upon motion of Council Member Peace-Jenkins and second by Council Member Coffey, and having been submitted to a roll call vote received the following votes and was APPROVED on this the 11<sup>th</sup> day of April 2011: YES: Kearney, Coffey, Inscoc, Rainey, Peace-Jenkins, Daeke, Davis and Daye. NO: None. ABSTAIN: None. ABSENT: None.

  
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, p. 94 and Resolution Book 2, p. 73)