

Legislative #

210163

RESOLUTION NO. 210163

A resolution of the City of Gainesville, Florida, providing the Intent of the City Commission to redistrict the City of Gainesville's election districts in accordance with Section 2.02 of the Charter Laws and in consideration of the 2020 Census conducted by the U.S. Census Bureau; providing an immediate effective date.

WHEREAS, as required by Article I of the Constitution of the United States, the U.S. Census Bureau must conduct a census every 10 years to determine the number of people living in the United States; and

WHEREAS, Section 2.02 of the Charter Laws of the City of Gainesville requires the City Commission to apportion the City into four consecutively numbered districts and to adjust the boundary lines of the districts by subsequently enacted ordinances whenever, in its judgment, the districts are not ratably or equally apportioned in accordance with the Constitution of the State of Florida and the Constitution of the United States, but not less frequently than within the second year following each decennial census; and

WHEREAS, the City Commission most recently redistricted the City by adoption of an ordinance in December 2012 using data from the 2010 Census; and

WHEREAS, the U.S. Census Bureau has completed the 2020 Census and the data is available to the public; and

WHEREAS, in accordance with Section 2.02 of the City Charter and in consideration of the 2020 Census data, the City Commission intends to adjust the boundary lines of the City's election districts with an ordinance adopted by the end of May 2022; and

WHEREAS, the City has contracted with the University of Florida Bureau of Economic and Business Research (UF BEBR), led by redistricting experts Dr. Michael McDonald and Dr. Daniel

Smith, to assist the City Commission in analyzing the 2020 Census data and redistricting the City's election districts accordingly.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE:

SECTION 1. *Public Participation.* The City Commission will conduct a transparent redistricting process with opportunity for public participation. All redistricting plan information will be available to the public in a timely fashion, free of charge, via a public website and other reasonable means. The public will be provided the opportunity to submit suggested election district maps for City Commission consideration.

SECTION 2. *Expert Consultant.* In April 2022, insofar as practical or possible, UF BEBR shall present to the City Commission its final recommendation for revisions to the City Commission election district boundaries in accordance with the redistricting criteria provided in this resolution. UF BEBR's final recommendation must include a map together with a description of the recommended election districts and, in addition to the UF BEBR recommended districts, may include several other potential redistricting options that meet the redistricting criteria established in this resolution.

SECTION 3. *Redistricting Criteria.* The City Commission shall follow established constitutional principles for redistricting in accordance with law. In furtherance of this requirement, the City Commission shall adopt election district boundaries that meet the criteria set forth below. With the exception of population equality and compliance with the Voting Rights Act, which are mandatory criteria, there is no order of priority among the remaining criteria, which are discretionary criteria and which the City Commission is choosing to follow.

- A. *Population Equality.*** Election districts must be based upon the principle of equal and effective representation as required by the U.S. Constitution. Accordingly, each district must be as nearly of equal population as is practicable. The districts may deviate somewhat from perfect population equality to accommodate the redistricting criteria otherwise set forth in this resolution. However, the target for population deviation is no more than 3% and in no case may population deviation exceed 10% of the average population for all respective City Commission election districts according to the data available from the 2020 census.
- B. *Voting Rights Act.*** The districts must comply with Section 2 of the U.S. Voting Rights Act of 1965, which prohibits voting practices or procedures that discriminate on the basis of race, color, or membership in certain language minority groups, or which result in denying a racial or language minority an equal opportunity to participate in the political process. To this end, election districts must not be drawn in a manner that results in the dilution of the vote of a racial or language minority group. Dilution in this context means when racial or language minority groups are denied the political opportunity they would have enjoyed as a voting-age majority in a single member district: namely, the opportunity to dictate electoral outcomes independently of other voters in the district.
- C. *Compactness.*** Each district should to the extent practicable be compact, striving for a minimum distance between all parts of the district with no bizarre shapes. For example, a circle, square, or hexagon would be examples of shapes that are compact.

- D. **Contiguity.** Each district should to the extent practicable have contiguous territory, where there are no islands and all parts of the district are connected at some point with the rest of the district.
- E. **Geographical Boundaries.** Each district should to the extent practicable recognize significant natural or man-made boundaries. For example, these include water bodies, major highways, or railroad tracks.
- F. **Political Boundaries.** Each district should to the extent practicable recognize and not split existing political boundaries such as U.S. Congressional and Florida Legislative districts, voting precincts, or census blocks.
- G. **Communities of Interest.** Each district should to the extent practicable recognize and not split existing communities of interest such as where people share recognizable social, political, cultural, religious, or economic interests. Communities of interest may include but are not limited to established neighborhoods and subdivisions, downtown districts, historical districts, or economic districts.
- H. **Existing District Cores.** Each district should to the extent practicable maintain existing election districts as previously drawn.

SECTION 4. *Intended Timeline.* The City Commission intends to establish revised election district boundaries with an ordinance adopted no later than May 5, 2022, insofar as practical or possible. If adoption of a redistricting ordinance by May 5, 2022, is impractical or impossible, the City Commission shall adopt a redistricting ordinance no later than December 31, 2022 as required by Section 2.02 of the City Charter.

SECTION 5. *Effective Date.* This resolution will be effective immediately upon adoption.

PASSED AND ADOPTED this _____ day of September, 2021.

Lauren Poe, Mayor

Attest:

Approved as to form and legality:

Omichele D. Gainey, City Clerk

Nicolle M. Shalley, City Attorney