



MEMORANDUM

Office of the City Attorney

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TO: Mayor and City Commission **DATE:** May 13, 2002
FROM: Marion J. Radson, City Attorney **CITY ATTORNEY**
SUBJECT: Review of City Commission Election Districts

Recommendation: The City Commission: 1) hear a presentation from the City Attorney; 2) reactivate the Charter Review Committee and authorize the Clerk to seek applicants to serve on the Committee; 3) authorize the City Attorney to enter into a contract for professional services; and 4) charge the Charter Review Committee to review the election districts and submit reports and recommendations to the City Commission.

Section 2.02 of the Charter Laws of the City of Gainesville apportions the City into election districts for the purpose of electing district commissioners to the city commission. The Charter also requires the commission to adjust the boundary lines of the districts whenever, in its judgment, the districts are not ratably or equally proportioned in accordance with the Florida Constitution and the Constitution of the United States. The City Commission previously redistricted the City in the Fall of 2001 taking into account the 2000 census data.

On February 26, 2002, the voters of an area commonly referred to as the Southwest annexation area, or Bus Route 35 area, approved the annexation of a 2 square mile area consisting of approximately 10,000 residents under the 2000 Census data. The area is currently experiencing intense development. The annexation is effective on September 1, 2002. As a result of this large scale annexation, the area needs to be included in one or more election districts. It is also reasonable to conclude that the remaining districts will not be ratably or equally proportioned as required by law.

City staff is currently reviewing the census tracts for this area to determine the population of the area and the entire City. When the population of the City reaches or exceeds 110,000, the Charter requires the City Commission to apportion the city into four districts. City staff is expected to complete their review and report their findings in the very near future. For your information, the size of the commission would then expand to seven commissioners: the mayor, two at-large commissioners, and four district commissioners.


In 1986, 1991 and 2001, the City Commission contracted with an expert in the field of redistricting and apportionment. The City Attorney recommends that the City Commission

follow the process utilized in previous years by retaining the services of a professional consultant, and a citizens committee to review and recommend any changes in the size and areas of the election districts. Dr. Kenneth Wald, Professor of the Political Science Department of the University of Florida, previously performed these services and has informed us that he is interested in performing these services again. The Charter Review Committee could be reactivated to act as the citizens committee and submit recommendations to the commission.

The Commission and the citizens committee should also hold public hearings on any revisions to the districts. The citizens committee should commence its work during the summer months, and the board should be requested to complete their recommendation and report to the Commission in the fall. This would allow the city commission to adopt the necessary ordinance in advance of the next regular city election in the Spring of 2003.

Fiscal Note: Funds for professional services are available in the FY 2002 budget in a non-departmental account.

Prepared and
Submitted by:



Marion J. Radson
City Attorney