

Legislative #

210163

ORDINANCE NO. 210163

1 **An ordinance of the City of Gainesville, Florida, amending Section 9-1.1 *Election***
2 ***districts* of the Code of Ordinances by redistricting the City of Gainesville into**
3 **four ratably or equally proportioned election districts as required by law; making**
4 **findings; providing a severability clause; providing a repealing clause; and**
5 **providing an immediate effective date.**
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8 **WHEREAS**, as required by Article I of the Constitution of the United States, the U.S. Census
9 Bureau must conduct a census every 10 years to determine the number of people living in the
10 United States; and

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

17 **WHEREAS**, the City Commission most recently redistricted the City by adoption of an ordinance
18 in December 2012 using data from the 2010 Census and other relevant information; and

19 **WHEREAS**, the U.S. Census Bureau most recently completed the 2020 Census and released the
20 data to the public in 2021; and

21 **WHEREAS**, on October 21, 2021, the City Commission adopted Resolution No. 210163 setting
22 forth the City Commission’s intent to redistrict the City of Gainesville’s election districts in
23 accordance with Section 2.02 of the Charter Laws and in consideration of the 2020 Census and
24 other relevant information, and outlined both the process and redistricting criteria by which the
25 City Commission shall adopt election districts; and

1 **WHEREAS**, the City retained the services of the University of Florida Bureau of Economic and
2 Business Research (UF BEBR), led by redistricting experts Dr. Michael McDonald and Dr. Daniel
3 Smith, to serve as an expert consultant to advise the City Commission in reviewing the census
4 data and other relevant information and to make recommendations based upon that data and
5 other relevant information; and

6 **WHEREAS**, the expert consultant recommends the apportionment of the City into four election
7 districts as set forth herein; and

8 **WHEREAS**, at least 10 days' notice has been given by publication in a newspaper of general
9 circulation notifying the public of this proposed ordinance and of public hearings to be held by
10 the City Commission of the City of Gainesville; and

11 **WHEREAS**, public hearings were held pursuant to the notice described above at which hearings
12 the parties in interest and all others had an opportunity to be and were, in fact, heard.

13 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**
14 **FLORIDA:**

15 **SECTION 1.** Section 9-1.1 of the Code of Ordinances of the City of Gainesville is amended to read
16 as follows:

17 **Sec. 9-1.1. Election districts.**

18 (a) In accordance with section 2.02 of the Charter of the city, the following election districts
19 are hereby established for the purpose of representation upon and election of four
20 members to the city commission:

21 **District No. 1**

22 **District No. 1 shall be is comprised of the following precincts: Precinct Nos. ~~13, 19, 25, 28, 30, 33,~~**

1 ~~34, 55, and 59~~ 13, 19, 25, 28, 33, 40, 49, 55, and 59.

2 District No. 2

3 District No. 2 ~~shall be~~ is comprised of the following precincts: Precinct Nos. ~~12, 17, 21, 22, 37, 38,~~
4 ~~45, 50, and 57~~ 17, 21, 24, 32, 37, 38, and 61.

5 District No. 3

6 District No. 3 ~~shall be~~ is comprised of the following precincts: Precinct Nos. ~~24, 26, 32, 36, 39, 40,~~
7 ~~43, 48, 52, 54, and 61~~ 23, 36, 39, 43, 44, and 54.

8 District No. 4

9 District No. 4 ~~shall be~~ is comprised of the following precincts: Precinct Nos. ~~5, 7, 23, 27, 31, and~~
10 ~~44~~ 5, 7, 12, 26, 27, 31, 50, and 57.

11 A map identifying the election districts is attached to the ordinance from which this section
12 derives as **Exhibit A** for illustrative purposes only and is on file in the office of the city clerk.

13 (b) As used in this section, the term "precincts" means the county election precincts of
14 Alachua County, Florida, as established by the board of county commissioners and
15 approved by the supervisor of elections. The boundaries of said precincts are the
16 boundaries as they exist on the effective date of the ordinance from which this section
17 derives or any amendatory ordinance, but only to the extent that they are located within
18 the corporate limits of the city.

19 **SECTION 2.** The City Commission hereby finds and determines that the four election districts
20 established herein are ratably or equally proportioned in accordance with the Constitutions of
21 the United States and of the State of Florida, and have been adopted in accordance with
22 Resolution No. 210163 adopted by the City Commission on October 21, 2021.

1 **SECTION 3.** It is the intention of the City Commission that the provisions of Section 1 of this
2 ordinance become and be made a part of the Code of Ordinances of the City of Gainesville,
3 Florida, and that the sections and paragraphs of this ordinance may be renumbered or relettered
4 in order to accomplish such intentions.

5 **SECTION 4.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or the
6 application hereof to any person or circumstance is held invalid or unconstitutional, such finding
7 will not affect the other provisions or applications of this ordinance that can be given effect
8 without the invalid or unconstitutional provision or application, and to this end the provisions of
9 this ordinance are declared severable.

10 **SECTION 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of such
11 conflict hereby repealed.

12 **SECTION 6.** This ordinance shall become effective immediately upon adoption.

13 **PASSED AND ADOPTED** this ____ day of _____, 2022.

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LAUREN POE
MAYOR

Attest:

Approved as to form and legality:

OMICHELE D. GAINEY
CITY CLERK

DANIEL M. NEE
INTERIM CITY ATTORNEY

27 This ordinance passed on first reading this ____ day of _____, 2022.

28 This ordinance passed on second reading this ____ day of _____ 2022.

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