

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
WORK SESSION  
COUNTY ADMINISTRATION BUILDING; MANATEE ROOM, 5TH FLOOR  
1112 Manatee Avenue West  
Bradenton, Florida  
October 19, 2021**

Meeting video link: <https://www.youtube.com/channel/UCULgjuGhS-qV966RU2Z7AtA>

Present were:

Vanessa Baugh, Chairman (entered during meeting)  
George Kruse, First Vice-Chairman  
Kevin Van Ostenbridge, Second Vice-Chairman  
Reggie Bellamy, Third Vice-Chairman  
Misty Servia  
James A. Satcher III  
Carol Whitmore

Also present were:

Dr. Scott L. Hopes, Acting County Administrator  
William Clague, County Attorney  
John Guthrie, Consultant, Geointel LLC (attending via zoom)  
Vicki Tessmer, Board Records Supervisor, Clerk of the Circuit Court

First Vice Chairman Kruse called the work session to order at 9:01 a.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

1. The Invocation was delivered by Reverend Lawrence Livingston, Eternity Temple First Born Church of the Living God, followed by the Pledge of Allegiance.


**AGENDA**

BC20211019DOC001


1. **REDISTRICTING OF COUNTY COMMISSIONER DISTRICTS (PART 2)**


Dr. Scott L. Hopes, County Administrator, introduced the work session and explained the process. John Guthrie is an independent consultant working on redistricting.


(Enter Chairman Baugh)


 John Guthrie, Consultant, (attending via zoom), stated he has been meeting with Dr. Hopes, and is using Esri Redistricting system which is a GIS system similar to what the County uses. The population has grown mostly in the east part of the County, and in order to equalize population, the districts in the western portion of the County (2, 3 and 4) will need to gain population by expanding toward the east. He will take direction from Dr. Hopes and will come up with a plan based on Florida Law, to develop a plan that is sustainable and defensible. He provided his background.


**RECESS/RECONVENE:** 9:14 a.m. – 9:21 a.m. All Commissioners were present.

 Dr. Hopes introduced Mark Murphy and Priscilla Thoophong, Information Technology and GIS Mapping, and noted all Commissioners had a chance to draw on the maps. The exercise for Commissioners was an opportunity to experience the difficulty of redistricting.


 Discussion ensued that the consultant will not take the hand drawings into consideration.


 Ms. Thoophong provided a demonstration of the redistricting tool. The goal is to get to a maximum deviation. The target deviation is zero, and the integrity checks will provide an alert if there is a deviation that is too big. They took the information from the printed maps and integrated the information into the redistricting tool.


 Mr. Guthrie explained the GIS system gives an easy way to associate the map and the existing demographics. Demographics that come with the program are from the 2020 census and allows users to go back and look at past censuses. The County redistricting must be based on the most recent census. The census bureau also provides ethnic and racial statistics. In addition to the total population, they will also capture the voting population. It is easy to put lines in and get the demographics.


 Discussion ensued regarding being allowed to take party affiliation or race into consideration.


Mr. Guthrie stated the Constitution was changed and State legislative and Congressional districts may not be drawn to favor an incumbent or party, but that rule does not encompass County Commission Districts. He stated the residence of the County Commission is perspective. If redistricting occurs in 2021, and the Commissioner is elected prior to that, they will be able to fulfill their term. The ten percent deviation is based on federal case law exists that congressional districts must be a nearly equal as possible in population. The Supreme Court has said that deviations of up to ten percent may be acceptable if there is a propelling government interest. State and Local governments have not been held to have exactly equal deviations. If the Commission chooses to consider future growth in the County and under-populate the districts in the east, it would be defensible.


 Discussion ensued regarding will the public be allowed access to the software.


 Dr. Hopes explained the software costs \$4,500 for each license, therefore it is not possible to give the public use of the tool. Every map that has been drawn has been available on the website. There can be a redistricting page on the website so the public can have access. A final map will need to be approved at the December 13 meeting so it can be sent to the State. The requirement is to do this in an odd year, and that year ends December 31. If constituents would like to see demographics for a certain district, IT could provide that map with the requested demographics.


 Mr. Guthrie explained that in order to make the process as orderly and quick as possible. and to guarantee the independence of the consulting advice, it would be valuable to have communication to him through Dr. Hopes.


 Discussion ensued that access to the consultant is important, make sure the public can have a conversation with this if they want, the Board hired the consultant and a potential solution is that any Commissioner can have a town hall meeting, have Mr. Guthrie attend via Zoom to draw lines for constituents, School Board districts do not need to have the same lines as County Commission districts, and a County can redistrict more often than every ten years.


 Mr. Guthrie confirmed that redistricting can occur more than just after the census.

 Discussion regarding like-minded views, consider keeping agricultural communities and coastal together, communities of interest should be in the same district, public hearings are not scheduled yet, Mr. Guthrie will have maps in the next three weeks, Dr. Hopes works with Commissioners, Mr. Guthrie's preference is to be fully independent from the Commissioners, and Dr. Hopes will not filter any question put forth by Commissioners, and due to the delay in getting the census information, the process is taking place later in the year.


 Discussion to have all presentation in a work session or a public hearing to be completely open, suggest district commissioners appoint a citizen (not a business) who is interested in this topic with Mr. Guthrie or Dr. Hopes, various issues with Commissioners talking to the consultant, maps should be data driven, must abide by the law, all the growth is happening out east, nothing wrong with showing a map to constituents, when is the appropriate time for Commissioners to submit their own maps, set up a time table to meet with the consultant, commit to a time frame prior to the last meeting or the work sessions, need to represent the population, how does the public give input, do not use ethnic background for drawing lines, changes and delays at the late minute during elections, and set the public hearings.


 Mr. Guthrie responded that meetings between himself and individual commissioners could present the risk for a lawsuit. There is nothing wrong with a consultant meeting with individual commissioners, but that will involve more time, and money, and what transpires in those meetings would be subject to deposition and consideration in future litigation.


 William Clague, County Attorney, explained the law as it applies to Counties is that after each census the County Commission shall divide the districts in as equal segments as possible. They can take in factors, but it must be consistent in all parts of the County. Redistricting is about population not voters, and prisons must be included in the population. This could give flexibility. You do not have to get to a zero deviation, and anything under 10 percent is acceptable. Chapter 124 stipulates that redistricting must be done in odd years, and the census data was late. They cannot ignore ethnicity, there are law that provide the standards for redistricting. If maps are drawn and shared, it must be done in a meeting.


 Discussion ensued that the census was delayed due to COVID, the minority population is to be considered during redistricting, and need to have more work sessions.


**RECESS/RECONVENE:** 10:34 a.m. – 10:45 a.m. All Commissioners were present.


 Chairman Baugh reiterated that per the Constitution, Commissioners must do the redistricting. She questioned what triggers the Commissioners should be concerned with regarding ethnicity.


 Mr. Clague read Section 2 of the Federal Voting Rights Acts, which prohibits states from reducing opportunities for constituents. They should not be restricted from electing a representative. Commissioners are going to have to look at the maps and make legal decisions.


 Discussion continued to not hinder voters, there is redistricting that needs to be done, there has to be a balance, must stay within that 10 percent or less deviation, must represent the citizens, there is nothing wrong with each Commissioner having their own map and sharing with the others during a meeting, and major roads and rivers should be targets for boundary lines.


 Mr. Guthrie explained there are standards under the Florida Constitution, but they are not a restriction for County Commission districts, and there are other considerations that come into play.


 Mr. Clague said considering the River would make it difficult to draw boundaries for the County.


 Discussion ensued regarding waiting to see what has been offered before scheduling further work sessions.


 Mr. Guthrie stated creating maps to equalize population and keep the core of certain districts intact, would only take a matter of days.

 Discussion ensued regarding having an unbiased opinion and place to start, and move forward with scheduling work sessions.

 Mr. Clague suggested having a Special Meeting, so the Board can give direction to Mr. Guthrie. The Commissioners should have a say in the maps.

 Discussion continued on being able to give the consultant items to consider for rural, urban core, and specific neighborhoods, keeping the coastline together, everything they discuss is public record, the next step to moving forward is to have the maps made public, allow the consultant to do his job, and better serve constituents if maps are a more manageable size.

 Mr. Clague responded that redistricting cannot be used to disadvantage particular groups. Comments by Commissioners to the consultant are not privileged, as they are with the County Attorney.

 Dr. Hopes reviewed the calendar, and the work session on October 27 can be changed to a special meeting, for the consultant to present his maps, and maps submitted by Commissioners will be put into the GIS system. The work session on November 9 can also be changed to a Special Meeting. He can work on scheduling time for the Commissioners with the Consultant.


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Discussion took place that the work session on environmental lands will still take place, there is still time to advertise a special meeting, there must be two public hearings for the resolution adopting the maps, there can be voting for the maps at the Special Meetings, and district Commissioners need to meet with their constituents.


Mr. Guthrie appreciates the opportunity to work with the Commissioners.


 Discussion ensued that all of rural Manatee needs to be in one district.


#### Public Comment


 Suzie Copeland stated District 2 has the highest minority population in Manatee County, and any changes need to meet Federal and State criteria for equal representation. Lines cannot be drawn to limit the ability of minorities to vote for the representation of their choice. It is important to utilize templates that have been used in the past when redistricting. Churches, housing, and parks should remain together in the district.


 Shelly Freeland Eddie requested no gerrymandering and that transparency be practiced when the redistricting process takes place. She questioned how redistricting will affect funding given for District 2 from the State.


 Betty Sales Rhoades requested District 2 remain intact, and requested jokes not be made about people during meetings.


 Lynette Edwards expressed concern with redistricting and stressed this is an important issue and warned against rushing the process, and ensuring redistricting is a fair process. She requested that lines not negatively impact District 2. All maps should be available both online and at physical locations.


 C.J. Garcia discussed local issues and believes the lines are drawn by population and ethnicity. The process needs to be fair.


 Rodney Jones expressed concern regarding racism.


 Charles B. Smith expressed concern with the role of the County Administrator regarding redistricting, and the importance of keeping District 2 intact.


 Ruth Harinshar commented on the GIS software and commended using the redistricting software, but expressed concern regarding manipulating the software. The public should be aware of any additional information that is put into the program.

 Keenan Wooten urged keeping District 2 and the community together, and stressed transparency and an equitable approach to redistricting.

 There being no further public comment, Chairman Baugh closed public comment.

 Discussion ensued that the District populations are of concern, if District 2 has to meet the population standards, and there is not a carve out for under populated minority districts.

 Mr. Clague responded he is not aware of any case that says they can avoid the requirement of the Florida Constitution because of Section 2 of the Voting Rights Act, because it does not specify that you have to come to a zero correlation to comply with the Voting Rights Act. If District 2 is being expanded, it is important to consider in which direction the expansion should occur. There are issues with the Voting Rights Act regarding District 2. The cases on these issues are fact driven and further discussion should take place one on one. It is his position to point out legal issues to the Board, and nothing has been suggested that there should be anything to negatively impact District 2.

 Discussion ensued that the community is trying to be proactive with redistricting.

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**COMMISSIONER COMMENTS**

Commissioner Whitmore

- Questioned progress regarding the Foster Care program
- Stated that tuition is provided for participants in the Foster Care system
- Received a call regarding Glen Gibellina being rude to employees during the Affordable Housing Advisory Committee meetings

Discussion ensued regarding a caustic tone toward staff by Board members, direct the Chairman of AHAC to send a letter to Mr. Gibellina regarding his behavior, and put the redistricting maps in the libraries.

Commissioner Servia

- Addressed decorum during Commissioner meetings and the need to refrain from jokes.

ADJOURN

There being no further business, Chairman Baugh adjourned the work session at 12:13 p.m.

Minutes Approved: May 10, 2022