

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
SPECIAL MEETING
COUNTY ADMINISTRATION BUILDING; FIFTH FLOOR, MANATEE ROOM
1112 Manatee Avenue West
Bradenton, Florida
DECEMBER 7, 2021**

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

Present were:

Vanessa Baugh, Chairman
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, County Administrator
William Clague, County Attorney
Vicki Tessmer, Board Records Supervisor, Clerk of the Circuit Court



Chairman Baugh called the meeting to order at 9:01 a.m.

INVOCATION



The Invocation was delivered by Chairman Baugh followed by the Pledge of Allegiance.

AGENDA

BC20211207DOC001

1. **REDISTRICTING**



Dr. Scott L. Hopes, County Administrator, reminded Commissioners that they alone are the body to redraw these lines. He introduced Andy Bardos, Gray Robinson, who will be participating today. A modified Map C1 was distributed yesterday, and is included in the agenda packet. He requested the Board to allow him to direct staff to activate Map C1 on the website.

BC20211207DOCe002



A motion was made by Commissioner Van Ostenbridge to activate Map C1 on the County website. The motion was seconded by Commissioner Kruse and carried 6-1, with Commissioner Satcher voting nay.

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



Andy Bardos, Attorney, reviewed Maps A1 and B1 according to federal standards and the voting rights act, and he is confident both maps are legally defensible. He would be happy to discuss the standards in detail.




Commissioner Satcher questioned if there was a map that addressed his concern to have District 1 going from the country to the coast.





Dr. Hopes stated Map C1 adds Terra Ceia to District 1 and moves Rubonia to District 2.





Commissioner Satcher wanted the addition of Terra Ceia to be the only change to Map A1.


 Dr. Hopes clarified that the entire coast of Terra Ceia was added to District 1.


 Discussion ensued that the entire coast should be in District 3.

 Mr. Bardos reviewed the one person, one vote standard, and with that standard the Districts, as drawn for Maps A1 and B1, fall within the 10 percent deviation. It would be difficult for someone to oppose the maps. The Voting Rights Act addressed minorities, and it is not possible to draw a majority minority district. It would be difficult to find a Section 2 violation with either of the maps.


 Discussion continued regarding there is a responsibility to create maps and draw lines, listen to the community, Map C1 is drawn based on B1, with the intent to listen to the other Commissioners and address their concerns, Map C1 ensures District 2 maintains the Urban Core, what does the Florida Constitution say regarding districts being contiguous, all three maps have residents going across a bridge to get to other parts of that district, and can you go through one district to get to another district.


 John Guthrie, Consultant, stated districts do not need to be connected by a bridge to maintain continuity, as has been determined by the Supreme Court. A district is considered contiguous regarding geometric contiguity, as long as the district includes the land and the water, and has a single shape including the land and water.


 Discussion continued regarding can District 2 have the voice to elect their candidate, avoid lawsuits filed by the NAACP to defend the maps, better idea of risk assessment, concern with Map B1 and making Districts 3 and 4 underpopulated, there are many mobile home parks in District and consider keeping those mobile home parks in District 4,


 William Clague, County Attorney, stated Mr. Bardos is not here to choose a map, and he made his decision.


 Mr. Bardos stated the two maps are comparable for legal defensibility, and the same arguments would apply. There are federal Constitutional requirements that must be met, and both maps are legally defensible,


 Mr. Clague responded to a question regarding the creator of the map and explained that at the end of the day, the map and data will determine whether or not the map is legally defensible, not on who created the map.


 Discussion ensued that covering behind possible lawsuits is not the goal, all maps are viable, the maps evolve into accusations as to which one is worse, Map B1 is less partisan, each Commissioner has a different opinion, all the lines need to be moved when one line is moved, there are viable maps presented, if a Commissioner drew a map, it should be out there, keep interests together, stick with the original plan, there is a difference between coastal and rural areas, and it is important to keep the coastal areas together, and need to keep the urban core in District 2.


 Mr. Guthrie displayed Commissioner Whitmore's overlay suggestion, and compared the differences between Maps B1 and A1, the B1 districts are filled in color and A1 is the red outline.


 Discussion ensued that all counties are going through this, and not take changes personally, apply with federal law for minorities, and suggest a different process to start with one map, and then see if can get a majority vote on each change.

 Dr. Hopes would like to settle on a map today and for the Board to direct the County Administrator, County Attorney, and the consultant to draft a resolution to present to the Board on December 14. There is a proposed special meeting on December 15, to vote on a map if needed. He suggested starting with one map, and putting Terra Ceia into Map B1 If there is a change to a map with a high population, more lines will need to change. Mr. Guthrie has stated he cannot accept any changes after Thursday this week.


 Commissioner Servia suggested that as tweaks are made to the map, track the changes in real time, then relabel and compare the maps.


 Discussion continued to start with Map B1, and keep the urban core in District 2, District Commissioners need to specify what they want, and all Commissioners will never be on the same page.


 Mr. Guthrie displayed Map B1 with the addition of Terra Ceia to District 1. He shared his screen and took the area around the Skyway Bridge and broke it down to three stages.


 Discussion ensued regarding anything west of U.S. 41 and north of I-275 should be added to District 1, the population of District 1 will go up by 881, name Map D-V01, important for all to compromise, At-large Commissioners represent the entire County, the Cities of Palmetto and Bradenton are independent of each other, shifting further west in Palmetto opens up more separation for minorities, which adds in more mobile homes, which changes the vote, keeping the minority integrity of District 2 and maintain the Urban Core with both the Cities of Palmetto and Bradenton in District 2.


RECESS/RECONVENE: 10:22 a.m. – 10:27 a.m. All Commissioners present.

 Commissioner Servia suggested extending Map D to 9th Street East into District 4, to bring in the several of the mobile home parks.


 Dr. Hopes suggested getting Districts 1 and 3 to work together, and get their opinions agreed upon, prior to working on another district.


 The Chairman suggested hearing from the Board as to Map D1.


 Discussion ensued regarding moving the lines only effects Districts 1 and 3, important to look at the entire picture, first round brings in some of Terra Ceia to District 1, what is the difference with C1.


 Mr. Guthrie displayed a new map with the water and land mass north of the bridge eastward, which keeps District 1 within the 10 percent threshold.

Motion


 A motion was made by Commissioner Satcher to accept/propose the map originally submitted by Commissioner Van Ostenbridge (D1).


 Mr. Clague attempted to clarify the motion based on what Commissioner Satcher proposed, that only Map D1 be presented on December 14 for consideration.

 Commissioner Satcher stated moving District 4 lines does not have four votes. The vote he is willing to join, although it is not everything he wants, he is willing to go to I-275, and it does not influence District 2, as the map includes Rubonia in District 3.


 Commissioner Van Ostenbridge seconded the motion as made earlier and clarified by Mr. Clague to vote for D1.


Motion - Restated


 Dr. Hopes clarified the intent of the motion is to adopt Map B1 with the change for Terra Ceia not Map D1, and to direct the County Attorney and the County Administrator to bring forth a resolution on December 14 and adopt is as the new district boundaries. The motion was made as clarified by Commissioner Satcher and seconded by Commissioner Van Ostenbridge.


 Discussion continued to maintain the Urban Core, this map goes against the intent and voting for Map D1 excludes everything, go back to being data driven and following the law, argument that if a district is currently representing the coast that district should continue to represent the coast, move forward with Map D1, the public will be upset, and take all comments under consideration, and better to use a working map and proceed with other commissioner suggestions.

Motion - Amended


 Commissioner Bellamy amended to the motion to take western border from 61st or 77th and maintain the western border through Palmetto, down to 8th and across the river including Riverview Boulevard as it currently is, coming back to Manatee Avenue and down 26th Street to Cortez, which is the current western border.


 Mr. Clague stated amending a motion is the process the Board chose and explained the motion on the floor could be amended.


 Dr. Hopes clarified that Mr. Bardos opined that A1 and B1 are defensible maps, and that the small change in Terra Ceia would not change that opinion, but Commissioner Bellamy's change, might make the map indefensible. He suggested conferring with Mr. Bardos regarding the legality of such actions.

 Commissioner Bellamy stated the most important things is to make District 2 right, and maintain the Urban core. Map C1 identifies 77th which includes Rubonia, and Map A1 identifies 61st. The integrity of District 2 is maintained with Map C1. Terra Ceia does not affect either map.


The amended motion was seconded by Commissioner Whitmore.

 Discussion continued that if Map B is adopted, with the motion on the floor District 3 will get all of the City of Bradenton, and District 2 will get Palmetto, 14th Street is still trying to revitalize, District 2 has historically had the City of Bradenton, and cannot approve a map that does not have the City of Bradenton in District 2.

 Dr. Hopes reiterated Maps B1 and A1 are defensible.


 Discussion ensued regarding what is better for the community, important to work within general parameters, and agree to compromise and avoid personal issues.

Original Motion - Clarified


 Mr. Clague clarified the motion. The map created with the modification of B1 is now called Map D-V01. The motion is to direct the County Attorney and the County Administrator to prepare a resolution for the adoption of Map D-V01 as entered into the record by the Consultant. Commissioners Satcher and Van Ostenbridge agreed to the motion as clarified


Mr. Guthrie recommended calling the Map B2, as there is a small change.

Clarified - Amended Motion


 Mr. Clague clarified that the amended motion be revised (Map B2) to establish the western Border for District 2 to be consistent with the boundary on Map A1. Commissioners Bellamy and Whitmore agreed to the clarified motion. He addressed the legal effects of the amendment. The changes are data driven, and once changes are made, they will need to be reviewed.

Public Comment

 Charles B Smith, questioned the ability to view the maps, and is concerned with District 2 now being a Republican map. It is his opinion that Map B2 is not defensible.

 Betty Sales Rhodes warned the Board of lawsuits, and doing what is right for the community, she urged the Board to keep Palmetto out of District 3.

 Keith Green clarified that Rubonia is in District 3 on Map B2, and this has been a transparent process. He thanked the Board for involving the public.


 Peggy Clement questioned what was wrong with the first map and encouraged keeping the integrity of the districts.

 Lori Gurley suggested voting for Map A1, as the consultant created it.

Carol Felts requested more transparency, and questioned the lack of public comment.


 Tina Shope supported Map A1


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

 Commissioner Bellamy requested the consultants opinion, and acknowledged timelines. He proposed Map C1 due to the submittal of Map B1. He continued to support maintaining the integrity of District 2, cautioned against breaking up the urban core, and jeopardizing the population of District 2 by taking away the minority representation.

Motion - Hostile Amendment

A hostile amendment to the clarified motion was made by Commissioner Whitmore and seconded by Commissioner Bellamy to vote for Map A1.

 Discussion ensued regarding the consultants job is not to draw the map, but to guide the Commissioners through the process, questioned why all the public comment received is not part of the agenda, it is important to recognize that the County hired a professional, suggested changes could be considered gerrymandering, do what is morally right, and emails received were word for word and sent by a mail merge system. BC20211207DSO003

 Commissioner Whitmore amended the hostel amendment to bring Map A1 to the December 14 meeting as well as Map B2.

Motion – Amended Hostile Amendment (failed)


The amended hostel amendment failed 3 to 4 with Chairman Baugh and Commissioners Kruse, Satcher, and Van Ostenbridge voting nay.

Motion – Amended (failed)

The amended motion regarding the lines for District 2 failed 2-5 with Chairman Baugh, and Commissioners Kruse, Satcher, Van Ostenbridge, and Whitmore voting nay.

Motion – Original (carried)

The original motion to hear Map B2 at the December 14 meeting carried 4-3 with Commissioners Bellamy, Servia, and Whitmore voting nay.

 Discussion ensued regarding there is a benefit to hold the town hall meetings since the final vote is on December 14.

 A motion was made by Commissioner Van Ostenbridge and seconded by Chairman Baugh to adjourn the meeting.

Commissioner Comments

Commissioner Whitmore

- Plans to meeting with the City of Bradenton regarding the homeless
- Visited the Foundation for Dreams and the future site for the camp at the former Sheriff Youth Ranch

Dr. Hopes stated staff has met with Foundation for Dreams and they are making progress. The goal is to have something before the Board by Spring Break.

The motion to adjourn carried 7-0.

ADJOURN

There being no further business, Chairman Baugh adjourned the meeting at 12:14 p.m.
Minutes Approved: January 25, 2022