



CITY OF PALM COAST DISTRICTING REPORT

JUNE 2011

Presented by the Districting
Commission

PURPOSE OF THE DISTRICTING REPORT

This report is prepared as required by Section 10(4)c of the City Charter which requires the Districting Commission to file a report containing a recommended plan for adjustment of the City Council Districts.

INTRODUCTION

Section 10(4)a of the City Charter of the City of Palm Coast mandates that there shall be four City Council Districts and that the boundaries shall remain in effect until the City Council determines based upon the decennial census, that redistricting would be appropriate to ensure that the requirements of the City Charter are accomplished.

Section 10(4)b of the City Charter directs the City Council to appoint a Districting Commission composed of five City electors from the registration for last statewide general election. On May 17, 2011 the City of Palm Coast City Council appointed the following registered electors as the City of Palm Coast Districting Commission:

Albert Cunningham

Louis McCarthy

Patricia Bottoms

Chris Vorndran

Clint Smith

Section 10(4)c of the City Charter directs the Districting Commission within 120 days after appointment or such earlier time as prescribed by the Council, to prepare a report containing a recommended plan for adjustment of the council district to comply with the following specifications:

- 1. Each district shall be compact, contiguous territory and boundary lines shall follow center lines of natural and manmade separations such as canals, streets, etc., where possible*
- 2. The districts shall be based upon principle of equal and effective representation as required by United States Constitution and as represented in the mathematical preciseness reached in the legislative apportionment of the state.*

On May 26, 2011, the Districting Commission met at a duly noticed public meeting to discuss alternatives for redrawing the City Council District boundaries. The Districting Commission reviewed a series of maps which may eventually be developed into a preferred redistricting plan that meets the specifications outlined in the City Charter.

As provided in Section 10(4)d of the City Charter, City staff provided technical assistance to the Commission by preparing an agenda package which included the current population of each

City Council District, the proposed target population for each district, and a minimum and maximum district population threshold for each district.

METHODOLOGY

Based on the 2010 U.S. Census, the populations within the existing district boundaries are as follows:

District 1- 17,247
District 2- 11,922
District 3- 22,064
District 4- 23,947

The imbalance in the population distribution within each district clearly indicates a need to redraw the district boundaries in order to meet the requirements of the U.S. Constitution and City Charter regarding the principle of equal and effective representation.

The 2010 U.S. Census City of Palm Coast population is 75,180. Based on four (4) City Council districts, the ideal or target district population is 18,795 (total population divided equally into each district). Flexibility in the district population distribution of +/- 5% is generally acceptable. Deviations greater than 5% will come under strict scrutiny and require strong justification for creating such a deviation.

The Geographic Information System (GIS) office within the City's Information Technology and Communications (IT&C) Department provided technical assistance in creating different alternative maps. The GIS system allowed for the drawing of various alternative district boundaries with instantaneous results of the new population count within the proposed boundaries.

During a meeting of the Districting Commission on May 26, 2011, City staff provided a series of maps to the Districting Commission to initiate their conversation about potential new district boundaries. The series of maps included three (3) viable alternatives (i.e. population distribution within acceptable limits, and contiguous, relatively compact boundaries along man-made separations). GIS staff attended the meeting prepared to assist the Commission with adjusting the boundaries and reporting on the population shifts which occur as a result of the boundary adjustments. After reviewing three (3) viable alternatives (attached to this report as Alternative 1, Alternative 2, and Alternative 3) for redistricting, the Commission selected Alternative 1. The Districting Commission made an adjustment to shift an area west of U.S.1 and south of Hargrove Grade from District 1 to District 4. An additional adjustment is to shift the area southeast of Palm Coast Parkway (westbound) and Belle Terre Parkway and north of Cypress Point Parkway from District 1 to District 3. (The shift of this additional area from District 1 to District 3 does not affect the population distribution).

CONSISTENCY WITH CITY CHARTER

Section 10(4)(c) of the City Charter requires the Districting Commission to file a report containing a recommended plan for adjustment of the City Council Districts which complies with the following specifications:

1. *Each district shall be compact, contiguous territory and boundary lines shall follow center lines of natural and manmade separations such as canals, streets, etc., where possible*
2. *The districts shall be based upon principle of equal and effective representation as required by United States Constitution and as represented in the mathematical preciseness reached in the legislative apportionment of the state.*

The report shall include a map and description of the districts recommended and shall be drafted as a proposed ordinance. Once filed with the designated official, the report shall be treated as an ordinance introduced by a Council member. (Ordinance is Attached as Exhibit A)

RECOMMENDED ALTERNATIVE

The Districting Commission has recommended **Alternative 1 with adjustments** as the preferred district map. This Alternative is consistent with the following specifications spelled out in the City Charter:

Principles of Equal and Effective Representation

The selected alternative has a population distribution within the acceptable range of +/-5% of the ideal (target) population. The population distribution within the new district boundaries and the deviation from the target population are:

DISTRICT	POPULATION	+/- FROM TARGET POPULATION (18,795)	% FROM TARGET POPULATION
1	19,487	692	3.7%
2	18,402	-393	-2.1%
3	18,600	-195	-1.0%
4	18,691	-104	-0.6%

Contiguity

The selected alternative provides for contiguous districts bounded by either City boundaries or major roadways (Belle Terre Parkway, I-95, Pine Lakes Parkway and Palm Coast Parkway).

Compactness

Due to the irregular boundaries of the City of Palm Coast and the inconsistency of population density throughout the City (large vacant areas within boundaries), it is difficult to create

compact district boundaries. However, the selected alternative is fairly compact and creates districts that can be easily defined since they rely on major roadways and the City boundaries to define the district. Of the three options reviewed for redistricting, the selected alternative provides districts wholly defined within major roadways or the City boundaries.

EXHIBIT A – ORDINANCE

ORDINANCE NO. 2011-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, RELATING TO THE REDISTRICTING OF THE CITY COUNCIL DISTRICTS IN ACCORDANCE WITH THE PROVISIONS OF THE *CHARTER OF THE CITY OF PALM COAST* AND OTHER APPLICABLE LAW; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR THE ADOPTION OF THE DISTRICTING COMMISSION REPORT; PROVIDING FOR THE REVISION OF THE FOUR (4) CITY COUNCIL DISTRICTS; PROVIDING DESCRIPTIONS OF THE NEW CITY COUNCIL DISTRICTS; PROVIDING FOR THE ADOPTION OF CITY COUNCIL DISTRICT MAPS; PROVIDING FOR CODIFICATION AND INCLUSION INTO THE *CHARTER OF THE CITY OF PALM COAST*; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR THE EFFECT OF ENACTMENT AND AN EFFECTIVE DATE.

WHEREAS, the provisions of the *Charter of the City of Palm Coast*, hereinafter referred to as the “*City Charter*”) state, in pertinent part at Section 10(4)(a), that “[t]here shall be four City Council districts ...” and that the “... boundaries shall remain in effect until the City Council determines, based upon each decennial census, that redistricting would be appropriate to ensure that the requirements of ... (the *City Charter*) are accomplished and adequately monitored or until a redistricting commission ... is appointed”; and

WHEREAS, Section 10(4)(a) of the *City Charter* also provides that “[a]ll Council district boundaries shall be based upon population data derived from the most recent decennial census”; and

WHEREAS, Section 10(4)(b) of the *City Charter* provides for the appointment of a Districting Commission by the City Council after certain certification occurs as to each decennial census and the City Council has, based upon such requirements, appointed a City of Palm Coast Districting Commission; and

WHEREAS, the City of Palm Coast Districting Commission has convened and acted and has issued a resulting Commission Report in accordance with the provisions of Section 10(4)(c) of the *City Charter*; and

WHEREAS, the Commission Report issued by the City of Palm Coast Districting Commission provides the City Council with “ ... a recommended plan for adjustment of the

council district boundaries ...”, in accordance with the provisions of Section 10(4)(c) of the *City Charter*; and

WHEREAS, the Commission Report issued by the City of Palm Coast Districting Commission based the Commission’s recommended plan for adjustment of the City Council District Boundaries on the following principles as detailed in Section 10(4)(c) 1 and 2 of the *City Charter*:

“1. Each district shall be formed of compact, contiguous territory, and its boundary lines shall follow the center lines of natural and man-made separations, such as canals, streets, etc., where possible.

2. The districts shall be based upon the principle of equal and effective representation as required by the United States Constitution and as represented in the mathematical preciseness reached in the legislative apportionment of the State”; and

WHEREAS, the City of Palm Coast Districting Commission has, in accordance with the provisions of Section 10(4)(c) of the *City Charter*, included “a map and description of the districts recommended” in its Commission Report; and

WHEREAS, Section 10(4)(c) of the *City Charter* provides the Commission Report of the City of Palm Coast Districting Commission “shall include and shall be drafted as a proposed ordinance; and “[o]nce filed with the designated official, the report shall be treated as an ordinance introduced by a Council member”; and

WHEREAS, the City Council based its evaluation and has made its determination as to action upon the City of Palm Coast Districting Commission Report in view of the guiding principal set forth in districting and redistricting judicial decisions that there should be a one person/one-vote weight at each election and that the concept of one-person/one-vote means that districts from which representative elected officials are elected should be roughly the same size in terms of population in order that, as each elected official is selected, each voter’s vote will count in essentially an equivalent manner and each vote will be cast on equal terms; and

WHEREAS, the decisions of the United State Supreme Court, and other applicable law, require that the development of electoral districts for representative offices be accomplished in a manner that results in each district having roughly equal populations as nearly as may be “practicable”; and

WHEREAS, the City Council and the City of Palm Coast Districting Commission have adhered to and complied with the provisions of the Federal Voting Rights Act that provides that electoral districts cannot be drawn in a way that would dilute or minimize the voting strength of racial and other minorities; and

WHEREAS, the City Council and the City of Palm Coast Districting Commission has adhered to and complied with the provisions of the decision of the United States Supreme Court

in *Thornburg v. Gingles*, 478 U.S. 30, 106 S. Ct. 2752, 92 L. Ed. 2d 25 (1986), and other applicable judicial decisions in developing revised City Council district boundaries; and

WHEREAS, the City Council and the City of Palm Coast Districting Commission have considered the various communities of interest that may be present within the City and have insured that each such community of interest shall be provided with adequate, effective, and proportional representation; and

WHEREAS, the City Council and the City of Palm Coast Districting Commission have adhered to and complied with the provisions of Section 10(4)(e) of the City Charter with regard to the procedures mandated for consideration of this Ordinance; and

WHEREAS, the City Council has not failed to enact a redistricting ordinance under the time limits set forth in the provision of Section 10(4)(f) of the *City Charter*, and accordingly, the provisions of the *City Charter* that related to such failure are inapplicable in the context of this redistricting action; and

WHEREAS, Article VIII, Section 2(b) of the *Constitution of the State of Florida*, provides, in pertinent part, that “[m]unicipalities shall have governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law”; and

WHEREAS, Section 166.021(1), *Florida Statutes*, provides, in pertinent part, that “[a]s provided in s. 2(b), Art. VIII of the State Constitution, municipalities shall have the governmental corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law”; and

WHEREAS, Section 166.021(1), *Florida Statutes*, provides, in pertinent part, that “[t]he Legislature recognizes that pursuant to the grant of power set forth in s. 2(b), Art. VIII of the State Constitution, the legislative body of each municipality has the power to enact legislation concerning any subject matter upon which the Legislature may act” except for certain very limited matters; and

WHEREAS, in accordance with the provisions of Section 10 of the *City Charter* and Section 166.031, *Florida Statutes*, the provisions of this Ordinance shall be and constitute an amendment to Section 9(2) of the *City Charter*; and

WHEREAS, this Ordinance is consistent with all applicable provisions of State and Federal law and the City Charter and furthers a valid municipal purpose benefitting the citizens of the City of Palm Coast.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA:

SECTION 1. LEGISLATIVE FINDINGS AND INTENT; ADOPTION OF DISTRICTING COMMISSION REPORT.

- (a) The recitals set forth in this Ordinance are hereby adopted as legislative findings by the City Council of the City of Palm Coast and form a material part of this Ordinance. The legislative intent relative to the enactment of this Ordinance is set forth in said findings.
- (b) The City Council hereby adopts the Commission Report of the City of Palm Coast Districting Commission and accepts and adopts the findings and report set forth herein and the Commission's recommended City Council District Boundaries.

SECTION 2. CITY COUNCIL DISTRICT BOUNDARIES.

The City Council District Boundaries for the Districts of the City Council are hereby created and established and shall exist as follows:

- (a) City of Palm Coast City Council District 1 boundaries: Attached as Exhibit A.
- (b) City of Palm Coast City Council District 2 boundaries: Attached as Exhibit A.
- (c) City of Palm Coast City Council District 3 boundaries: Attached as Exhibit A.
- (d) City of Palm Coast City Council District 4 boundaries: Attached as Exhibit A.

SECTION 3. CODIFICATION AND INCLUSION INTO THE CHARTER OF THE CITY OF PALM COAST.

It is the intention of the City Council of the City of Palm Coast, Florida that this Ordinance shall be codified into the City of Palm Coast Code and shall become and constitute an amendment to Section 9(2) of the *City Charter* in accordance with the provisions of Section 10 of the *City Charter* and Section 166.031, Florida Statutes. The code codifier is hereby granted broad and liberal authority as necessary for that purpose.

SECTION 4. SEVERABILITY.

It is declared to be the intent of the City Council of the City of Palm Coast, Florida, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance, is held to be unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not be construed as to render unconstitutional or invalid the remaining provisions of this Ordinance.

SECTION 5. CONFLICTS.

All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 6. EFFECT OF ENACTMENT AND EFFECTIVE DATE.

This Ordinance shall take effect immediately upon enactment and shall have all effects as set forth at Section 10(4)(g) of the *City Charter*.

APPROVED on first reading the ____ day of June 2011.

ADOPTED on second reading after due public notice and public hearing the ____ day of June 2011.

CITY OF PALM COAST, FLORIDA

Jon Netts, Mayor

ATTEST:

Virginia A. Smith, City Clerk

Approved as to form and legality

William E. Reischmann, Jr.,
City Attorney

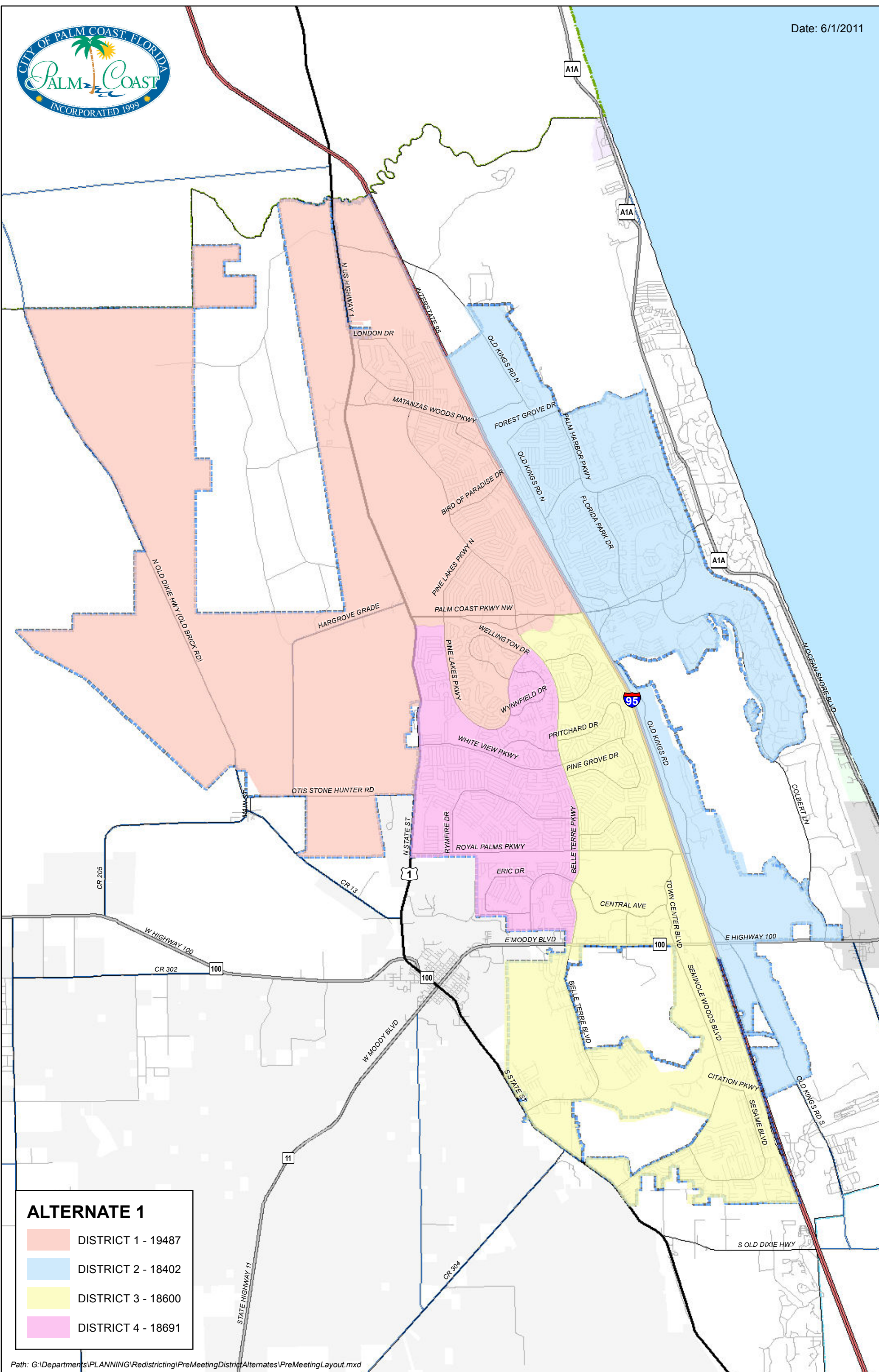
Exhibit "A" – Map and Description of Districts

ATTACHMENTS - MAPS AND TABLE FOR ALTERNATE DISTRICTS

TABLE 1. POPULATION DISTRIBUTION FOR ALTERNATE DISTRICT MAPS

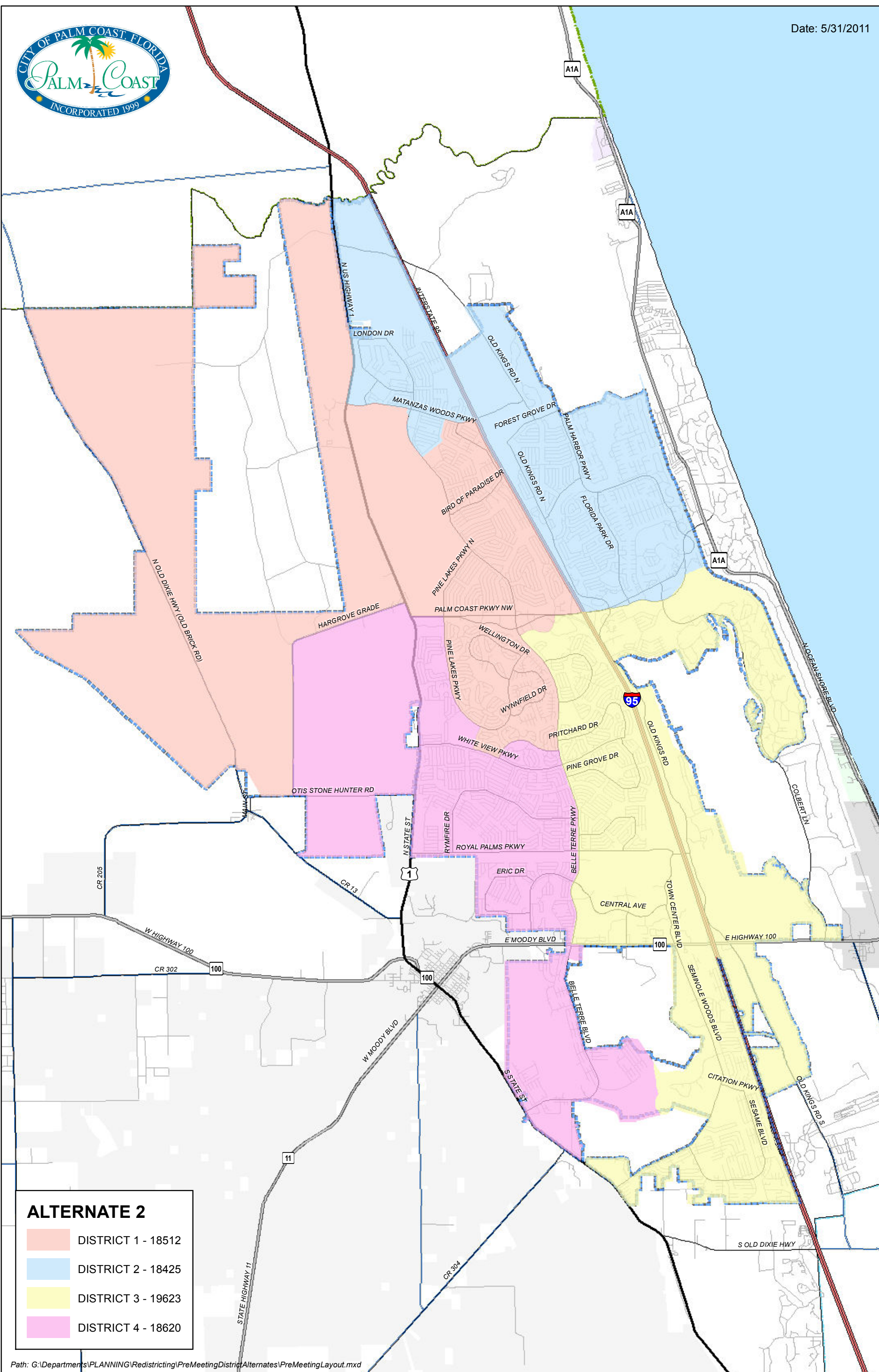
Alternate 1			
DISTRICT	POPULATION	+/- FROM TARGET	% FROM TARGET
1	19487	692	3.7%
2	18402	-393	-2.1%
3	18600	-195	-1.0%
4	18691	-104	-0.6%
Alternate 2			
DISTRICT	POPULATION	+/- FROM TARGET	% FROM TARGET
1	18512	-283	-1.5%
2	18425	-370	-2.0%
3	19623	828	4.4%
4	18620	-175	-0.9%
Alternate 3			
DISTRICT	POPULATION	+/- FROM TARGET	% FROM TARGET
1	19299	504	2.7%
2	18425	-370	-2.0%
3	18869	74	0.4%
4	18587	-208	-1.1%

Alternate 1 with Adjustment			
DISTRICT	POPULATION	+/- FROM TARGET	% FROM TARGET
1	19487	690	3.7%
2	18402	-393	-2.1%
3	18600	-195	-1.0%
4	18693	-102	-0.5%



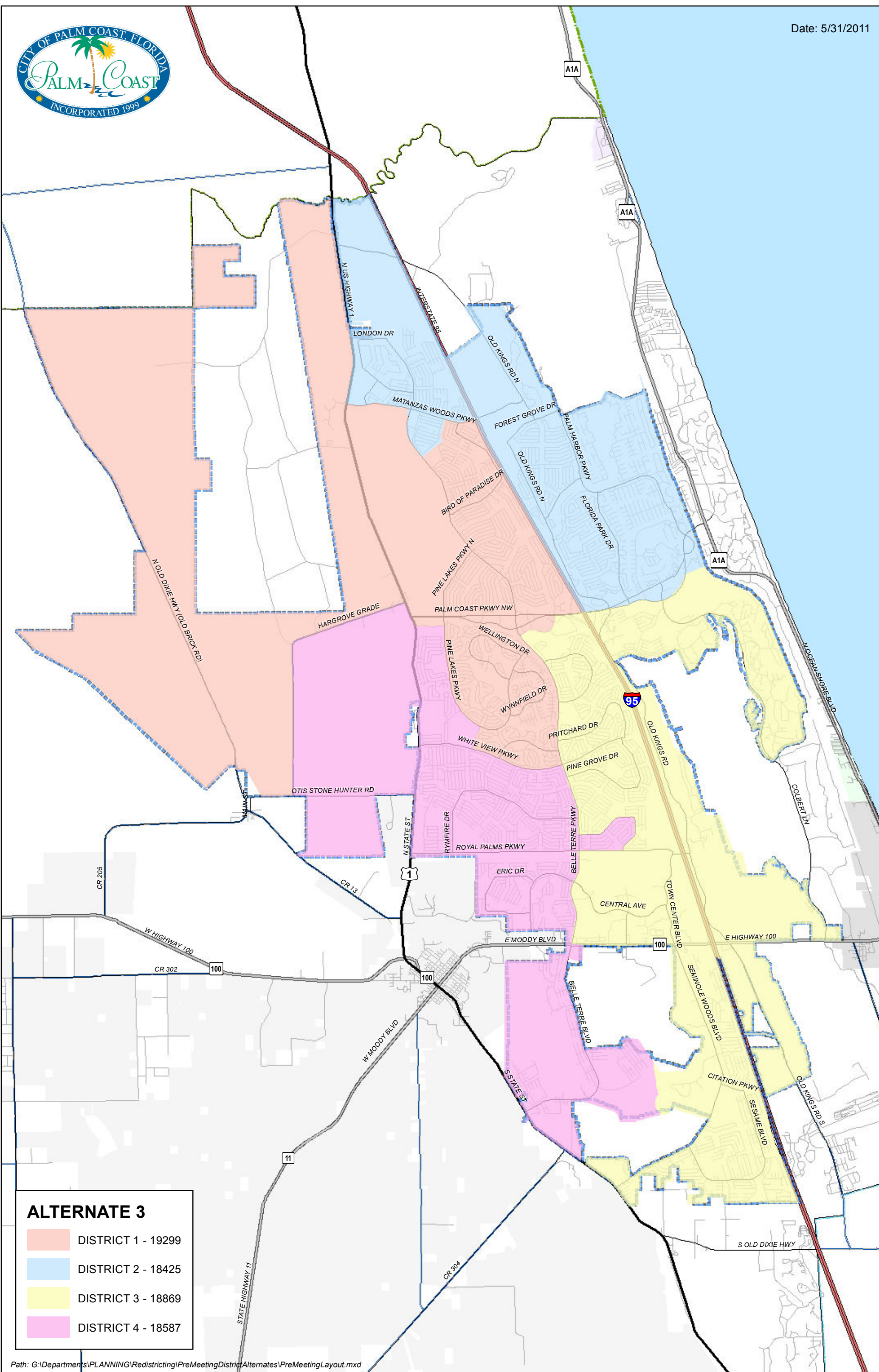
ALTERNATE 1

- DISTRICT 1 - 19487
- DISTRICT 2 - 18402
- DISTRICT 3 - 18600
- DISTRICT 4 - 18691



ALTERNATE 2

- DISTRICT 1 - 18512
- DISTRICT 2 - 18425
- DISTRICT 3 - 19623
- DISTRICT 4 - 18620



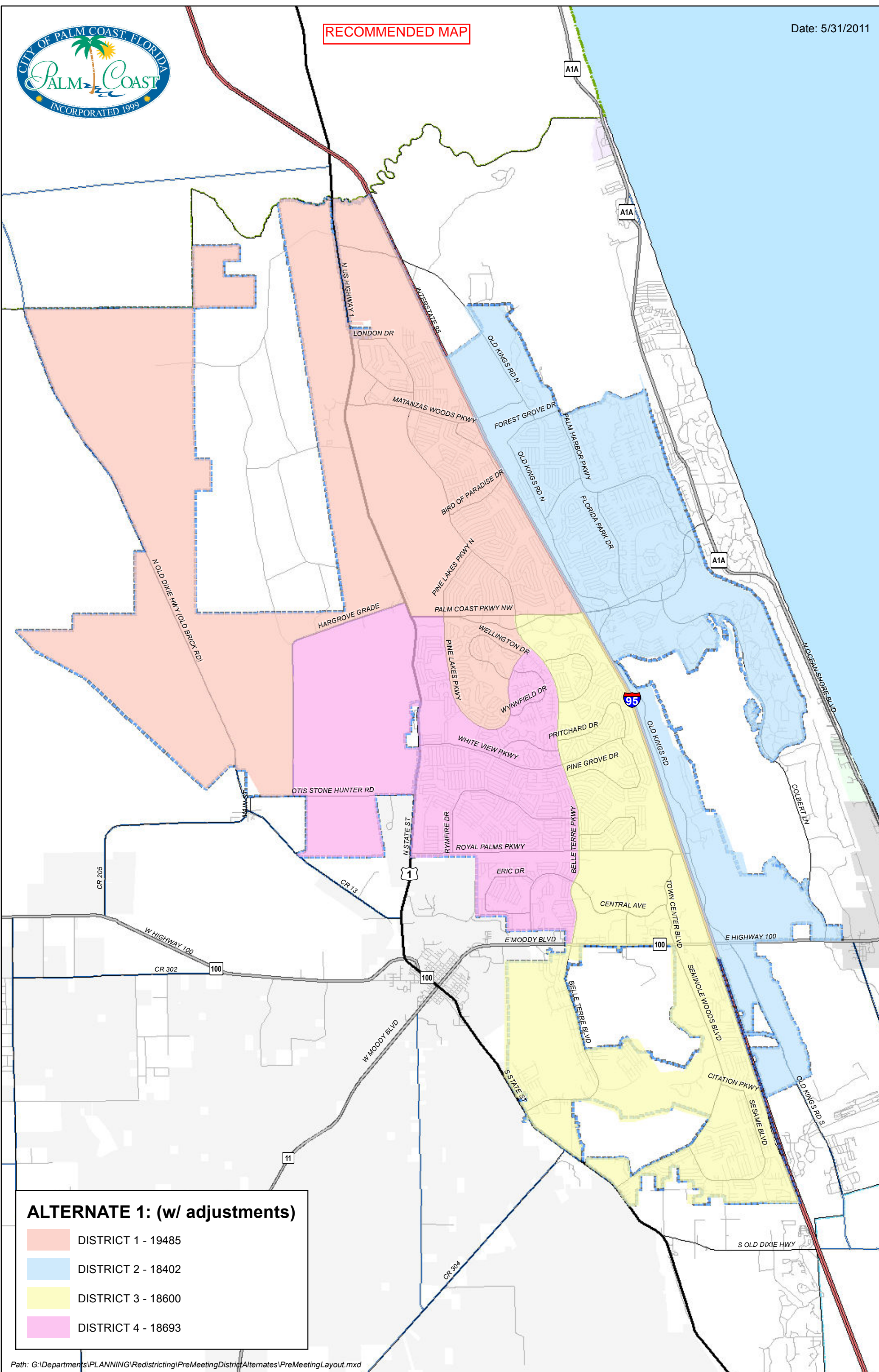
ALTERNATE 3

- DISTRICT 1 - 19299
- DISTRICT 2 - 18425
- DISTRICT 3 - 18869
- DISTRICT 4 - 18587



RECOMMENDED MAP

Date: 5/31/2011



ALTERNATE 1: (w/ adjustments)

- DISTRICT 1 - 19485
- DISTRICT 2 - 18402
- DISTRICT 3 - 18600
- DISTRICT 4 - 18693