



City of Palm Coast
Agenda
SPECIAL CITY COUNCIL
BUSINESS MEETING

City Hall
160 Lake Avenue
Palm Coast, FL 32164
www.palmcoastgov.com

Mayor David Alfin
Vice Mayor Eddie Branquinho
Council Member Victor Barbosa
Council Member Ed Danko
Council Member Nick Klufas

Tuesday, August 24, 2021

9:00 AM

COMMUNITY WING

City Staff

Denise Bevan, Interim City Manager

William Reischmann, City Attorney

Virginia A. Smith, City Clerk

> Public Participation shall be in accordance with Section 286.0114 Florida Statutes.

> Other matters of concern may be discussed as determined by City Council.

> If you wish to obtain more information regarding the City Council's agenda, please contact the City Clerk's Office at 386-986-3713.

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> City Council Meetings are streamed live on YouTube at <https://www.youtube.com/user/PalmCoastGovTV/live>.

> All pagers and cell phones are to remain OFF while City Council is in session.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE TO THE FLAG

C. ROLL CALL

D. APPOINTMENT TO DISTRICTING COMMISSION

1. APPOINT FIVE MEMBERS TO THE DISTRICTING COMMISSION

E. ADJOURNMENT

City of Palm Coast, Florida Agenda Item

Agenda Date : August 17, 2021

Department	CITY CLERK	Amount	
Item Key	11492	Account #	
Subject	APPOINT FIVE MEMBERS TO THE DISTRICTING COMMISSION		
Presenter :	Jose Papa		
Background :	<p>UPDATE FROM THE AUGUST 17, 2021 BUSINESS MEETING.</p> <p>This item was heard by City Council at their August 17, 2021 Business Meeting. City Council called a Special Meeting to be held on August 24, 2021 to appoint a five (5) member Districting Commission from each district. Council will provide two registered voters from each district respectively and the Mayor's 2 registered voters will be at large. Council will nominate their first choice for Council's consideration to be appointed to the Districting Commission.</p> <p>Additional information for the Districting Commission process.</p> <p>Article IX 4 of the <i>City Charter</i> states:</p> <p>****</p> <p>(c) <i>Commission report.</i> Within 120 days after appointment, or such earlier time as prescribed by the Council, the districting commission shall file with the official designated by the Council a report containing a recommended plan for adjustment of the council district boundaries to comply with the following specifications:</p> <ol style="list-style-type: none"> 1. Each district shall be formed of compact, contiguous territory, and its boundary lines shall follow the center lines of natural and manmade 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. <p>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.</p> <p>(d) <i>Support.</i> It shall be the responsibility of the City Manager to provide staff assistance and technical data to the districting commission.</p> <p>(e) <i>Procedure.</i> The procedure for the Council's consideration of the report shall be the same as for other ordinances, provided that any summary of the ordinance published pursuant to this Charter and general law must include both the map and a description of the recommended districts.</p> <p>(f) <i>Failure to enact ordinance.</i> After receipt of the commission report, the Council shall adopt a redistricting ordinance at least 90 days before the next regular City election. If the Council fails to do so by such date, the report of the districting commission shall go into effect and</p>		

have the effect of an ordinance.

(g) Effect of enactment.

1. The new council districts and boundaries, as of the date of enactment, shall supersede previous council districts and boundaries for all the purposes of the next regular City election, including qualifications.
2. The new council districts and boundaries shall supersede previous council districts and boundaries for all other purposes as of the date all Council members take office who were elected subsequent to the effective date of the new districts.
3. All district seats not up for election, but which as a result of the redistricting no longer have Council members who live within the district, shall be declared vacant for purposes of the next regularly scheduled election. Such election shall, in order to preserve the staggering of the terms, be for either four years or for the remaining two years of the term, depending on the district vacant.

(5) Standards of conduct. All elected officials and employees of the City shall be subject to the standards of conduct for public officers and employees set by general law. In addition, the City Council may, by ordinance, establish a code of ethics for officials and employees of the City, which may be supplemental to general law, but in no case may such an ordinance diminish the provisions of general law.

Per the City Charter, the Commission is to submit a report to Council within 120 days from appointment (December 22, 2021). Staff intends to submit the report to Council at the Dec. 14, 2021 workshop. The report may be submitted to Council at an earlier date if completed sooner than the December City Council workshop.

ORIGINAL BACKGROUND FROM THE AUGUST 17, 2021 BUSINESS MEETING

According to the City Charter, upon the States receipt of the official certification notification of the decennial census, the City is required to possibly adjust the district boundaries and comply with certain specifications. The State received the official notification of the decennial census in August 2021.

Article IX 4(b) of the City Charter "...the City Council shall appoint five (5) city electors, determined from the registration for the last statewide general election, who shall comprise the Districting Commission.

In 2011, City Council appointed a member from each of their own districts with the Mayor appointment being an at large appointment to comprise the districting commission.

All appointees must be a registered voter and this will need to be confirmed with the Supervisor of Elections.

The Commission will be responsible for completing a Commission report containing a recommended plan for adjustment of the council district boundaries to comply with specification in Section 11(4)(c) as follows:

Additional information:

1. Each district shall be formed of compact, contiguous territory, and its boundary lines shall follow the center lines of natural and manmade 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.

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.

Article IX 4(c) of the *City Charter* states “Within 120 days after appointment, or such earlier time as prescribed by Council, the districting commission shall file with official designated by the Council a report containing a recommended plan for adjustment of the council district boundaries ...” Council shall adopt the report as a redistricting ordinance and failure to do so by such a date, requires the report shall be in effect and have the effect of an ordinance.

City Council may call a special meeting to be held on August 24, 2021 immediately prior to the special budget workshop to appoint the 5 member Districting Commission. Staff will then provide additional procedural information and timelines.

Recommended Action :

Each Council Member to provide a registered voter appointee from each district respectively and the Mayor provide a registered voter appointee at large to appoint to the Districting Commission for Council’s consideration and select timeline for adoption of the Redistricting Ordinance.