

**OFFICE OF THE CITY COUNCIL**

**RESEARCH DIVISION**

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**RULES COMMITTEE REDISTRICTING PUBLIC HEARING**

**Meeting Minutes - Amended**

**February 3, 2022**

**6:00 p.m.**

**Atlantic Coast High School Auditorium**

**In attendance:** City Council Members Brenda Priestly Jackson (Chair), Randy DeFoor, Aaron Bowman, LeAnna Cumber, Rory Diamond

**Excused**: Council Member Randy White

**Also:** Council Members Sam Newby, Danny Becton, Joyce Morgan; School Board Members Kelly Coker and Daryl Willie; Paige Johnston – Office of General Counsel; Bill Killingsworth – Planning and Development Department; Jeff Clements, Colleen Hampsey, Amber Lehman, Richard Distel - Council Research Division; Phillip Peterson – Council Auditor’s Office; Yvonne Mitchell – ~~Acting Council Secretary~~ Chief of Administrative Services; Eric Grantham – Information Support Services

**Meeting Convened**: 6:04 p.m.

Chairwoman Brenda Priestly Jackson convened the meeting and the attendees introduced themselves for the record. The Chair read a statement regarding the School Board’s prohibition against the distribution of political advertisements and campaign materials on school property.

Legal Framework of Redistricting

Paige Johnston of the Office of General Counsel gave an overview of the requirements for redistricting under federal, state and local law based on the data produced by the latest U.S. Decennial Census. She explained the “one person one vote” standard under the 14th Amendment (Equal Protection clause) to the U.S. Constitution and the fact that the population of the districts should not exceed a 10% deviation between the most and least populated districts to meet court scrutiny for equal protection. She explained that race cannot be the predominant reason for crafting a district, but the courts have declined to rule on using political partisanship as the predominant basis. Courts have found that consideration of the residence of existing incumbents in office is a defensible factor. Ms. Johnston explained that the Special Committee on Redistricting instructed the Planning Department to start its work on new districts based on the existing districts and adjusting from there based on the requirements for balancing population based on the Census data. She noted that the existing districts have not been legally challenged since they were adopted 10 years ago.

Ms. Johnston explained “packing” and “cracking” as tactics used to dilute the voting power of a specific group or interest. “Packing” consists of concentrating a large percentage of a particular group or interest into a small number of districts, giving them a high likelihood of electing candidates of their choice in those districts, but not in any others where they have little to no representation. “Cracking” consists of spreading persons of a particular group or interest widely among many districts so that they have little to no influence in any of them. She explained “gerrymandering” as a term meaning the process of deliberately manipulating districts so that a racial or minority group’s interests are either enhanced or diminished. Courts have ruled that as long as discriminatory intent is not proven as to the group’s interests, a redistricting plan may be found constitutional under the Equal Protection Clause. Ms. Johnston noted that all redistricting information is available on the City Council’s web site under the Hot Topics link, then clicking the link for the Special Committee on Redistricting. She described the process from the work of the Special Committee through the hand-off of the plan to the City Council and the Rules Committee’s conduct of the mandated public hearings on the proposal. The Ordinance Code requires 3 public hearings be held around the city; the Rules Committee is holding 4 hearings. The final redistricting plan will approved by City Council at one of its meetings between March 8 and April 12, the final date by which the plan can be adopted per the City Charter.

School Board Perspective on Redistricting

School Board Chair Daryl Willie thanked the Council for bringing the public hearings to public schools where he believes important civic dialogue should take place as an important example to students of the importance of civic engagement. He was pleased that the School Board members were invited to participate from the very beginning of the redistricting process to provide school-related perspectives, although not as voting members. He recognized Mr. Michael George, the principal of Atlantic Coast High School, and thanked him for his and his staff’s cooperation in conducting the hearing.

Development of the Redistricting Proposal

Bill Killingsworth, Director of the Planning and Development Department, said that, in addition to the standard legal requirements, the Special Committee on Redistricting gave his department 4 basic instructions at the start of the process: 1) use total population rather than voting age population as the basis for the calculations; 2) minimize river crossings to the extent practicable; 3) minimize changes to existing district boundaries; and 4) keep incumbent council members who are eligible for re-election in their current districts. The department looked at crafting a plan with no river crossings, but the population disparity on either side of the river (significantly higher population on the south/east side than on the north/west) made that impractical. An option was explored that put District 2 completely south of the river rather than crossing the river as it does now, but that disrupted the rest of the districts substantially and so was abandoned. District 11 has grown substantially over the last 10 years and needed to shed over 20,000 people to get close to the target population of 71,000, while Districts 7 and 8 had to gain population to get them within the maximum 10% deviation. Mr. Killingsworth described the adjustments made to the various districts and answered questions posed by speakers at the previous public hearing about the rationale for those changes. He said he would provide data on partisan registration figures for the new districts to the Council staff to post on the City Council’s redistricting web page for the public to review and said he would provide any Census data that anyone would like to see.

Public Comment

Gloria Einstein said that protecting incumbents is a selfish and corrupt choice. She wants more competitive districts that would benefit voters by the competition between candidates to connect with voters. Electorally safe districts allow representatives to follow their own interests and benefit their friends and supporters. Representatives in competitive districts have to be more responsive and consider all interests.

Pat Wojciechowski said that the decision to use total population instead of voting age population skews boundaries to unfairly advantage some groups over others. Voting age population would produce more population parity among districts and prisoners should not be counted because they skew a district’s population.

Ted Hornoi-Centerwall said more citizen involvement would be promoted by having the Special Committee on Redistricting produce an executive summary explaining the redistricting process clearly from start to finish so citizens can understand it and feel empowered. He advocated for an ad hoc task force to generate participation by various groups and interests. He believes that voting age population is a better, more realistic, and defensible basis for redistricting.

Eric Parker said it is a conflict of interest for the wife of a candidate running for election to Council District 2 to be the Executive Council Assistant for the Chair of the Special Committee on Redistricting. He questioned why the Special Committee held its meetings during the business day when the public couldn’t attend. Public hearings should have been held before new district lines were drawn.

Daniel Henry restated several questions he posed at the previous public hearing for additional clarification. He believes the U.S. Office of Management and Budget and Department of Justice racial demographic figures are more accurate than the Census figures. The Census tends to overweight white citizens because it doesn’t count persons who check multiple boxes for their race the same way the OMB and Justice Department do. Also, how was community of interest defined? There was discussion at some of the member-to-member noticed meetings of how many people of what type were needed to elect a certain kind of person, but no analysis of whether the population currently proposed will actually make election of those persons likely. Please answer those two questions directly.

Alexander Watkins said he is concerned about racial packing in Districts 7 and 8 and urged the Rules Committee to deeply examine how well the districts make representation of particular interests possible. Please listen to the public and examine racial packing and how well Black and brown people are represented citywide.

Michael Anderson said he was pleased to see more council members present at this hearing than at the last. He is interested in the age distribution of the proposed districts and how they reflect the interests of young people, who are a predominant demographic in District 11. The proposed state House districts seem to be trying to concentrate minority population in just 2 districts and it appears that the City Council districts are doing the same thing. Please make election precincts logical and easy for canvassers.

Judy Shelkin said the public has been excluded from the process and not asked their opinions until the maps were already drawn. Why is it that the heavily minority districts are on the low end of the population range when the process is supposed to be about equalizing population? Why aren’t these hearings open to remote, virtual public participation? There needs to be more citizen access and input early in the process. Other places are having citizen groups draw the maps. A question was posed at the last hearing about whether the proposed districts advantage or disadvantage any political party, and that information should be provided by the time of the hearing next week.

Elizabeth Sams said citizens are interested in knowing how the new districts impact both partisan registration and minority representation. Can the Supervisor of Elections’ district demographic report be analyzed for that before next week? How will the public be informed about the districts when a new plan is adopted? There’s been too much reliance on protecting historical districts. The process needs more citizen involvement earlier to help produce inclusive districts and a fairer process. Look at what other cities are doing in this regard.

LaShonda Holloway said Jacksonville has suffered for decades from poor redistricting choices. Why didn’t the City use the federal Census definition of race? Jacksonville is 49% non-Hispanic white, not the 52% on which the proposed maps are based. Districts 7, 8, 9 and 10 were packed with minority voters so they don’t have influence citywide. District 12 could have been made more competitive by reducing District 8’s minority population and shifting it to District 12. The City needs more competitive districts that really reflect the population.

Joy Burgess said many citizens of the community were left out of the redistricting process and need to be included in the future. An executive summary of the process could tell the community’s story and be a source for next time this process is undertaken. There are all sorts of interests and communities that deserve to be represented, so we need an open conversation before the next process about age, gender, and other interests, not just race. Campaign Legal Center is a national organization that is a resource to help citizens draw redistricting plans via independent commissions. It’s a conflict of interest for incumbent politicians to be drawing their own districts.

Tim Vergenz said that protection of incumbency is wrong and doesn’t represent the needs of the community. Incumbents shouldn’t craft districts to their own preferences. Citizens should be able to choose their representatives, not the representatives choosing their citizens. Several of the minority access districts don’t look compact. Paige Johnston said that actions with non-discriminatory intent were found constitutional, but that’s not the right attitude. You need to do the necessary analysis to be sure you’re avoiding even unintentional discrimination.

Chairwoman Priestly Jackson said the public’s comments are being recorded and will be distributed to the Rules Committee members next week. The Rules Committee Chair holds a debrief session with staff every Monday morning after these hearings at which the questions posed by the public are discussed. The Rules Committee is holding 4 public hearings around the city over the course of 4 weeks instead of 4 in one week as was done the last time.

The next hearing is next Thursday, February 10th, at 6:00 p.m. at First Coast High School.

**Meeting adjourned:** 7:03 p.m.

Minutes: Jeff Clements, Council Research Division

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