



**OFFICE OF THE CITY COUNCIL  
RESEARCH DIVISION**

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**SPECIAL CITY COUNCIL MEETING  
ORDINANCE 2022-800 - REDISTRICTING**

**Meeting minutes**

**November 4, 2022  
12:00 p.m.**

**Location:** City Council Chamber

**In attendance:** Council Members Terrance Freeman (President), Danny Becton, Aaron Bowman, Kevin Carrico, Tyrona Clark-Murray, LeAnna Cumber, Randy DeFoor, Rory Diamond (virtually via Zoom), Al Ferraro, Reggie Gaffney, Nick Howland, Joyce Morgan, Ju’Coby Pittman, Brenda Priestly Jackson, Ron Salem, Randy White

**Excused:** Council Members Sam Newby, Matt Carlucci, Michael Boylan

**Also:** School Board Members Daryl Willie and Kelly Coker-Daniels; Jason Teal, Mary Margaret Giannini, Helen Roberson, Paige Johnston, Mary Staffopoulos – Office of General Counsel; Margaret Sidman – Council Secretary/Director; Merriane Lahmeur, Sharonda Davis - Legislative Services Division; Jeff Clements – Council Research Division; Teresa Eichner, Steve Cassada and Eric Grantham – Public Information Division; Kim Taylor – Council Auditor’s Office; Bill Killingsworth – Planning and Development Department; Dr. Doug Johnson – National Demographics Corp.

**Meeting Convened:** 9:08 a.m.

President Freeman convened the meeting and Council Member Morgan gave the invocation and led the Pledge of Allegiance. A roll call of the members present was taken.

President Freeman gave introductory remarks thanking everyone for their participation in the process to date, from Council Members to staff to citizens. He reviewed the redistricting process to date and encouraged a cooperative spirit through the completion of the process today.

General Counsel Jason Teal gave an overview of the legal issues involved in approving a revised redistricting plan, reiterating the November 8<sup>th</sup> deadline to present a revised map to the court. The Council has had to waive various provisions of the City Charter, Ordinance Code and Council Rules to shorten various timelines and procedures to meet the court's reporting deadline. The current map was crafted based on the 2011 districts, which is what the court found to be invalid. The City hired a nationally recognized expert in redistricting to help craft the various map versions for this revision process because of his expertise and his experience in dealing with legal challenges to districts in many places across the country. The Special Committee has proposed a map to which amendments may be proposed today. The public has had numerous opportunities for input both in person at meetings and via the redistricting email box. Mr. Teal said the judge has not reviewed or ruled on the constitutionality of any map prepared to date, either City proposals or the Plaintiffs' map. The City gets the first opportunity to present a map to the court and make its best argument in defense of that map if done by November 8<sup>th</sup>.

President Freeman said that Council Member Diamond, who cannot be physically present today due to military duty, asked if it was possible for him to participate electronically. Mr. Teal said that Florida Attorney General opinions say that such a member may participate virtually if the reason for their absence "constitutes an extraordinary circumstance". The decision as to whether this service constitutes an "extraordinary circumstance" is a matter for the Council to determine by a vote.

**Motion** (Bowman) – permit Council Member Diamond to participate in the meeting virtually due to an extraordinary circumstance preventing his physical attendance

Council Member Cumber asked if Attorneys General have ruled that anything other than a medical emergency has constituted an "extraordinary circumstance". Mr. Teal said they have, with the decision being left in the hands of the body in question to determine the particular circumstances. In response to a question from Ms. Cumber about whether Council Member Diamond would have to be in the meeting the whole time, Mr. Teal said he would need to be following it sufficiently that he fully understands the matter being discussed in order to meaningfully render a vote when it is time for that. Council Member Clark-Murray asked for details about the circumstance of Mr. Diamond's military obligation. As a former member of the military, she said that the nature of the order makes a difference and asked if Mr. Diamond was ordered to duty. Mr. Teal said his service was not voluntary; he would be in attendance today if he could but is obliged to be on military duty today. Ms. Clark-Murry asked if he submitted an excusal request and if it included a copy of the military duty order. Mr. Teal said he submitted an excused absence request but then requested to be allowed to participate virtually. President Freeman read Council Member Diamond's request for excusal, which did not have military orders attached.

Council Member Priestly Jackson said virtual participation for extraordinary circumstances should be limited, but the guidance Mr. Teal is presenting today seems to contradict previous General Counsel guidance on virtual participation in other circumstances. Ms. Priestly Jackson said that the members who have asked for excused absences today should be offered the same opportunity to request an "extraordinary circumstance" exemption to participate virtually since, by definition, an event that keeps a member from attending this important meeting must be an extraordinary circumstance. Previously Council Members making similar requests have been told that "extraordinary circumstances" means serious medical conditions and nothing else. There was no mention of an ability for the Council to vote on what constitutes an "extraordinary circumstance". Mr. Teal said that he spoke with Council Member Carlucci and gave him this same guidance and opportunity to request an "extraordinary circumstance" exemption and does not believe that he has made any request for such a determination by the Council. Council Member Salem advocated for letting Council Member Diamond participate today and recommended getting further legal guidance on the extraordinary circumstance issue going forward.

**The Bowman motion was approved unanimously.**

Council Member Cumber asked about the vote threshold for voting today since some members are not present. Mr. Teal said the declaration of an emergency will require a 2/3 vote of those present, the final vote requires 2/3 of the total membership, amendments are by simple majority votes.

Mr. Teal announced that Council Member Diamond is now participating virtually via Zoom.

Paige Johnston of the Office of General Counsel presented a list of proposed map amendments submitted by Council Members which all refer to the maps that were under consideration by the Special Committee. If any of these amendments are approved, then Dr. Johnson and the General Counsel's Office will need to confer about what other changes might be necessary to the ordinance and exhibits to achieve the desired result of the amendment.

Dr. Doug Johnson, President of National Demographics Corp., and Bill Killingsworth, Director of the Planning and Development Department, presented several map proposals (Maroon IIIA-F) based on the instructions given by the Special Committee on Redistricting at its meeting yesterday. Maroon IIIA is the Special Committee's recommended map. The requests by Council Members Pittman and Gaffney to revise the boundaries of Districts 7 and 8 are combined into one revision. Maroon IIIA incorporates the San Pablo and Riverside/Avondale changes discussed by the Special Committee. Maps IIIB, C and E move San Mateo back to District 2 and shift other territory further north to District 7 to compensate. The Pittman/Gaffney boundary request and district re-numberings (District 8 becomes the northern district, District 7 the southern district) are in maps IIIC-F. Council Member DeFoor said that Dr. Johnson's statement that RAP has been kept together in the new maps is incorrect because that's not what the maps currently being distributed show. Dr. Johnson displayed the Maroon IIIA map and said there is a limited ability to make small changes on the fly today if staff can be given a few minutes to analyze and map the requested changes. He said that an adjustment of the Riverside/Avondale boundary near Margaret Street in Five Points is possible, and said the Woodstock/Robinson's Addition request from Council Member Clark-Murray could be largely, but not completely, accommodated because of the impact it had on the rest of the district.

Council Member Becton asked that that Dr. Johnson run through the maps one by one and describe what is or isn't in each of them.

Dr. Johnson said the Maroon I map started from scratch and is based on geography, CPAC boundaries, and council member incumbency.

Maroon IIIA – includes Maroon I plus Riverside/Avondale kept together and the shift of the Pablo Creek Reserve area from District 11 to District 3. Maroon IIA is the Special Committee's recommended map.

Maroon IIIB – includes Maroon IIIA plus moves the San Mateo neighborhood back to District 2 and adjusts the District 7 boundary north of there to compensate, and also shows the residences of Council Members and School Board members, including the 2 candidates for the District 7 seat in the election next week.

Maroon IIIC - includes Maroon IIIA and the San Mateo shift back to District 2, plus reverses the numbers of District 7 and District 8 and extends the old District 8/new District 7 northerly. It does draw one of the candidates in the special election for current District 7 out of that district when it becomes District 8 and moves northward for the spring 20223 election.

Maroon IIID – includes Maroon IIIC and the Districts 7 and 8 changes without the San Mateo shift to District 2; it does keep both current District 7 candidates in the same district for the spring election.

Maroon III E – includes all three of the requested changes: the San Mateo shift to District 2, the Districts 7 and 8 changes, and a change to District 9 on the north end to incorporate more of the Robinson’s Addition area up to 12<sup>th</sup> Street and Huron Street, but can’t include it entirely because it would cut District 10 in half, and District 10 no longer wraps so much around District 9.

Maroon III F – has the Districts 7 and 8 number swap and Riverside/Avondale kept together, but not moving San Mateo back to District 2; both District 7 candidates can remain in the district.

Council Member Salem asked if it is possible to keep both District 7 candidates in that district while at the same time accommodating the move of San Mateo back to District 2. Dr. Johnson said that’s not possible unless you produce a very narrow, strangely shaped district. Mr. Salem said Mr. Teal has said at an earlier meeting that looks don’t matter as much as the demographics. Dr. Johnson said that shapes can be somewhat odd if there is a legitimate, explainable reason for them; the problem in this case is not the look but the process of cutting through multiple neighborhoods to connect to one candidate’s residence. Mr. Salem said wants to see a map that accommodates both the San Mateo to District 2 move and keeping the two District 7 candidates in their district for consideration. Dr. Johnson said he would be happy to explore that possibility, preferably after the Council has narrowed its consideration to just one or two maps rather than trying to work with all six proposals.

Council Member DeFoor asked for further clarification that all of Riverside and Avondale are intended to be kept together and that the maps currently are incorrect. Dr. Johnson agreed that the Maroon III maps are incorrect in a part of the District 10/14 boundary between Margaret Street and I-95 in Riverside and that will be corrected.

Jason Teal said that a chart describing the difference among the various maps had been distributed to the Council Members and is available to the public on the tables in the front of the Council Chamber.

Council Member Gaffney said Maroon III E is best for keeping District 7 the close to same in both next week’s election and for the spring election; it’s the best at keeping a large part of the current District 7 together into the future so that the candidates can continue to represent areas for which they are now running

Council Member Priestly Jackson said District 9 in Maroon III A doesn’t appear to be compact and asked about the rationale for its north end extending well into District 10. Dr. Johnson said it is entirely about keeping the District 9 incumbent in her district.

Council Member Salem said he believes that Maroon III E is acceptable to both current District 7 candidates and he expects those candidates to speak to that in the public hearing.

### Public Hearing

Carnell Oliver said the most important thing to achieve today is justice for the people. The City is spending \$1 million to defend a map based on protecting politicians. The whole process would have been better with lots of public input from the beginning about what they wanted. The Plaintiff’s map has been completely ignored in the process.

John Draper said he participated in the redistricting process 30 years ago that created the 4 minority access districts to guarantee Black representation on the Council. It’s time to abolish those districts. Drawing lines by race is illegal, whether you call them Democratic districts or not. Packing reduces the impact of Democrats elsewhere and drawing those districts negatively impacts everything else. Start from

scratch and you'll end up with a much better product and produce districts that work for the people. Continuing to do the same thing will get the new map thrown out by the judge again.

Kathleen Murray of Duval County Citizens Representing Freedom asked that San Mateo be put back in District 2. The current maps are based on corruption. *Times-Union* columnist Nate Monroe has slandered candidate Mike Day in his column. Serve the people.

Kelly Rich, Executive Director of Springfield Preservation and Restoration, thanked the members for looking out for Springfield yesterday. 5 Points should be kept with the rest of Riverside/Avondale. SPAR members support map Maroon IIIE keeping Springfield together in 1 district.

Annie Glenn asked that San Mateo be put back in District 2.

Eric Parker spoke on behalf of a friend who is currently a candidate for a City Council seat who asked that all district maps consider the residence of candidates currently running. Everyone should be given the same consideration. Maroon IIIE is close to good and he suggested that the Soutel/Edgewood/Moncrief area should be in District 7.

Barbara Moore congratulated the Council on doing a good job under a very short time frame. Maroon III seems like a fair map representing what has been asked by many people. No map will be perfect, and criticism is inevitable but keep doing a good job to reach a fair conclusion.

Vanessa Cullins Hopkins thanked the Council for allowing input. She wants the King/Soutel Crossing CRA put in 1 council district which still does not show up on the Maroon III maps which split it various ways into multiple districts. The area needs the cohesion of that CRA for economic development in the Northwest.

Mike Ludwick of the Northside Coalition said we're all in this situation because the Council wouldn't listen to citizen input and drew an illegal map based on incumbency protection. The court will throw out the new proposed map because it makes the same mistakes. He noted that Voting Rights Act compliance is mandatory, not optional. The Plaintiff's map protects Black voting rights in a legally defensible way under all applicable laws.

Wayne Wood thanked the Council for putting all of RAP back together, but now the 5 Points/Cummer Museum area is split off from the rest of RAP. That needs to be corrected for neighborhood cohesiveness. That map was obviously drawn by someone who didn't understand Jacksonville. Yesterday's Maroon IIA map was far superior to Maroon III.

Jack Rowan said Maroon IIIB seems like the closest to the best if it also included Council Member Clark-Murray's concerns.

Perry Reynolds, Chair of Riverside Avondale Preservation, said he was very encouraged by the Special Committee's attitude during its earlier meetings and is therefore very much disappointed by today's Maroon III maps that split off the 5 Points area from the rest of RAP.

Shannon Blankinship, Executive Director of Riverside Avondale Preservation, thanked the Council for allowing public input at every meeting, but said it's hard to comment when maps aren't available until arriving at City Hall at the start of the meeting. RAP was happy about being put back together, but then downtown and Springfield were split, which is not good. Go back to the Maroon II maps and keep 5 Points with Riverside and Avondale.

Michelle Hollie said she was a plaintiff in the lawsuit and the Council has ignored any public input. The court will be paying attention when the Council submits a flawed plan

Ed Conner said today's Maroon III maps correct yesterday's maps that butchered the Springfield area. He recommended that Council Members read *One Person, One Vote* by Nick Seabrook, a UNF professor, on the history of gerrymandering in America. The current maps just continue a long history of gerrymandering in Jacksonville to maintain the status quo.

Rosimar Duca said it is irresponsible to be adopting new maps so close to an election. She advocated for putting San Mateo back in District 2.

Ayesha Covington said the maps continue to violate the Voting Rights Act. Black representation has been continually diminished for decades while protecting incumbents. The Plaintiffs' Unity map keeps communities together. She expects the judge to throw out the proposed map and then perhaps a mediation process can happen. Just fix the maps.

Charles Barr, a candidate for the District 7 seat in the special election, said he has primarily campaigned south of the Trout River and would prefer Maroon III of the current choices, but preferred the existing map even better.

Kim Pryor quoted from the instructions given to the Special Committee on Redistricting at the start of the process regarding what items should guide the process and said they have failed in their task. Incumbency protection and partisan balance have ruled the process. The Ability Housing lawsuit against the City in 2015 was another example of the Council failing to listen to the people and losing a case that cost millions of dollars.

Nancy Powell said she liked yesterday's maps better with regard to RAP if they could have been tweaked to accommodate the Springfield and Edgewood Avenue issues. This is a 10-year project that has concentrated excessively on protecting incumbents and has given no consideration whatsoever to the Plaintiff's map. Start the process over and produce a better map by November 18<sup>th</sup> and let the judge compare it with the Plaintiff's map.

Eunice Barnum said Council Members are willfully violating the U.S. and Florida constitutions.

Stanley Scott said the City Council should not be involved in drawing districts because they are too focused on protecting themselves and their families in office. The process is flawed. He has served on previous Charter Revision Commissions to serve the community. Council members are too focused on self-preservation.

### Council Discussion

Floor Leader Bowman outlined the order of business for the rest of the meeting – move the emergency, move and resolve the committee amendment, move further amendments, approve a final amended plan as an emergency.

**Motion:** declare the emergency on Ordinance 2022-800 – **approved 15-1** (Priestly Jackson opposed).

**Motion:** approve the Special Committee's proposed amendment

Paige Johnston explained the amendment which recommended the Maroon IIIA map (which was Maroon II at the special committee meeting yesterday), makes technical amendments, revises the exhibits to

reflect the proposed districts, authorizes the Office of General Counsel and the Planning and Development Department to make technical changes consistent with the Council's actions, and amends the bill title to reflect all of the amendments.

Council Member Cumber said that the Ortega area belongs with RAP and she will be opposed to voting on a map that shows them separated.

Jason Teal explained the process of making a motion on the amendment to get the matter on the floor to start the discussion and amendment process.

Council Member Becton said communities of interest, compactness, contiguity and geographic boundaries should be the predominant factors guiding the maps. No map is going to be perfect, but he thinks the Maroon III maps will likely be problematic with the judge because they deviate from those 4 priorities. He advocated for Maroon II as the baseline with amendments to be made from there.

Council Member Ferraro asked for clarification of which Maroon IIIA map is the one under consideration.

Council Member DeFoor said she doesn't like Maroon IIIA because of what it does to split Ortega from Riverside and Avondale. Ortega has more in common with RAP than with Argyle. She thinks the court will find the map invalid.

Council Member Priestly Jackson said she can't support the new maps proposed in this process. The redistricting process started off with inclusivity and transparency but that's not what has happened lately. The current Council is dealing with decisions made by prior Councils in 1991, 2001 and 2011 regarding the role of race. She has made her decisions regarding redistricting by looking at age, gender, educational levels, economics and other factors not including race.

Council Member Gaffney said he will vote for the amendment despite the fact that it's not perfect because the process has tried to accommodate multiple desires by multiple Council Members. Tweaking the maps is problematic because a change in one district affects another.

Council Member Howland said the Maroon I and Maroon IIIA maps are really the two choices. Maroon I was drawn to be defensible and Maroon IIIA has 2 differences that are still defensible.

President Freeman yielded the chair to the Vice President and addressed the bill. He urged that "perfect" not be the enemy of "good". If the Special Committee's amendment is not approved then the council will have to start the whole process from scratch and that will be difficult.

Council Member Ferraro asked for clarification about the San Mateo area on the Maroon IIIA map. Jason Teal said map IIIA does not include the shift of San Mateo back to District 2.

Council Member Cumber said starting from the Maroon IIIA map locks in that baseline and makes future amendments to address the concerns of Council Members Ferraro, Clark-Murray and DeFoor very difficult. She cautioned that the bill will ultimately take a 2/3 majority vote so everyone's concerns must be considered. She asked for confirmation from Mr. Teal that rejecting the proposed amendment to use Maroon IIIA as the baseline opens the door to move a different baseline map. Mr. Teal confirmed that would be the case. Paige Johnston said that the Council Rules provide for an amendment to the amendment that would allow the group to start from a different baseline map and still keep all the other parts of the Special Committee's amendment in place. President Freeman suggested that the Maroon IIIE and IIIF maps seem to have most of what everyone is looking for with the possibility for more

amendments. The Special Committee put in a lot of work and the public has had a lot of input into the Committee's proposed amendment, which he thinks would be better than starting over from scratch.

Council Member Bowman said he's ready to approve the moved amendment to get the map on the floor and then work from there. Council Members who have expressed opposition to the proposed map have not attended previous Special Committee meetings where they could have had input. The Council has to start somewhere so we need to get a map on the floor from which to work.

Council Member Becton said he thinks the Plaintiff's map fails 2 of 4 of his fundamental principles described earlier for doing redistricting, as does Maroon IIIA. He thinks Maroon IIA would be a better baseline. He doesn't have confidence that Maroon IIIA is defensible in court and the City doesn't want to lose twice before the judge because it didn't follow her instructions.

President Freeman asked Dr. Johnson if he feels that the maps under consideration meet the judge's instructions; he said they do because they are not based on race in any way.

Council Member Priestly Jackson said the attempt to comply with the judge's interlocutory order is commendable, but the Plaintiffs' case has not yet been fully adjudicated. Trying to deal with the Plaintiffs' allegations has produced more problems in other areas. She doesn't see the adoption of new maps satisfying the Plaintiffs' allegations.

Jason Teal said staff has tried as much as possible to anticipate the court's possible objections in this process. They have used the Plaintiffs' Voting Rights Act analysis (which they are not sure is defensible) and applied it to all of the proposed maps and they all meet the test. Weirdly shaped districts are not prohibited unless they are drawn that way based on race. They can be drawn for non-race-based reasons and be deemed lawful. The judge has not reviewed the legality of any maps yet and anything the City presents will meet all the legal requirements and be defensible and will be accompanied by all the relevant supporting documentation. He feels like any of the maps presented meet the requirements of the court and are defensible.

**The motion failed 7 – 8.**

**The meeting was in recess from 12:05 to 12:32 p.m.**

**Motion** (Gaffney): use the Maroon IIIE Fix map as the baseline map

Dr. Johnson said Maroon IIIE Fix map is virtually the same as map IIIE – it keeps RAP together in District 10 and the District 10/7 border moves by 1 block to eliminate a notch at Fairfax Street, moving a small portion of District 10 into District 7. Maroon IIIE Fix also includes the Pablo Creek Reserve change, moves San Mateo back to District 2, accommodates the Districts 7 and 8 numbering swap, and provides as much of Council Member Carter-Murray's request regarding the Robinson's Addition area as could be accommodated without cutting District 10 in half.

Council Member Howland said that the Council got an email from a constituent claiming that the San Mateo change back to District 2 would draw a filed candidate out of eligibility to run for District 2. His research shows that there are 41 filed candidates for seats in the spring 2023 council election, 11 of whom would be impacted by being drawn out of their current districts by the proposed maps. The Council needs to think about how to be fair to everyone and decide whether the residences of filed candidates should be a consideration. Council Member Ferraro said that his proposal to move San Mateo back to District 2 has nothing to do with accommodating a candidate for office and is all about protecting that community. President Freeman asked Dr. Johnson if candidates for office were taken into account in drawing the



maps. Dr. Johnson said that they were not, except for the two candidates in the special election that will be decided next week. It's possible that the five filed candidates for Districts 7 and 8 who are impacted may be because of the number swap between those two districts and therefore may not actually be a problem. Council Member Carrico asked Dr. Johnson if anyone asked him to draw maps based on candidate residence locations. Dr. Johnson said no, the only instruction he got was from the Special Committee during its meetings.

Council Member Becton asked how the adoption of new districts impacts the requirement that candidates must live in a district for 183 consecutive days in order to qualify to run for that district seat. Mr. Teal said that the plan is to ask the federal judge to address that in a waiver in her final order. Candidates should be a resident of the district, but not for the required 183 days as a one-time exception given the circumstances. Mr. Becton asked if the Council could waive the requirement. Mr. Teal said it could be done either by a court order or a binding opinion issued by the General Counsel.

Council Member DeFoor asked if now is the proper time to start offering amendments to map Maroon IIIE before it is adopted. Mr. Teal said one amendment is in order, although there is a limit to how many amendments can be pending at once.

**Motion** (DeFoor/2<sup>nd</sup> Cumber) – amend the Gaffney amendment to use Map IIIE Fix as the baseline with the Riverside/Avondale area placed into District 14.

Council Member Bowman said he would support Council Member DeFoor's proposal to keep the RAP area in District 14, but not in the form of an amendment to the Gaffney amendment which he opposes. Council Member Gaffney asked how the DeFoor proposal impacts adjacent districts like 7 and 10. Dr. Johnson said the RAP area contains about 15,000 people. Council Member Cumber said she supports the DeFoor amendment which would go back to the Maroon IIB map because those neighborhoods have been together for many years. She thinks District 9 could be amended to accommodate the needed population shift. Council Member Salem asked how difficult the DeFoor amendment would be to evaluate and how long it would take to produce a new map and determine its impact. Dr. Johnson said it will take some evaluating and will start a chain reaction of calculating subsequent changes. It could take 20 minutes if the pieces fall into place easily, or could take 2 hours if it turns out to be more difficult. President Freeman asked if Council Member DeFoor would be willing to withdraw her amendment and let the Council vote on the Gaffney amendment to establish a base map. Council Member Howland said the Special Committee did consider keeping RAP together in District 14 and the result was that Springfield had to be split.

Council Member Priestly Jackson quoted from her email request to the Planning Department and Council President yesterday requesting a set of detailed demographic information for each district on the proposed maps. Council Member Clark-Murray objected to the DeFoor amendment because it would inflict even more damage on her current district, which is already suffering under the current proposals by losing 10 neighborhoods. Council Member Becton suggested the Maroon IIIE map as the best baseline from which to make improvements. Council Member Cumber asked Dr. Johnson if the only way to add the RAP area to District 14 is to split the Springfield area in two. Dr. Johnson said he would try to keep both historic areas cohesive but couldn't say how feasible it is until he tries some alternatives. Council Member Cumber asked if changes could be made in the balance between District 14 and either Districts 8, 10 or 12 rather than impacting Springfield. Council Member Morgan said equity, parity and compliance with the judge's order are what's needed in this process and not about everyone necessarily being completely happy with the outcome.

**The DeFoor amendment failed 3-12.**

**Motion** (Bowman/2<sup>nd</sup> Carrico) – remove the shift of the San Mateo area to District 2 from the Gaffney amendment’s proposed Maroon IIIIE Fix map

Council Member Ferraro said the San Mateo issue has nothing to do with the residence of a candidate for office which was alleged in an email sent to Council Members. It’s purely about protecting a neighborhood’s interests that they came down to the meeting to advocate for. There are ways to accommodate San Mateo in District 2 in a way that doesn’t hurt other districts. Council Member White said the Maroon IIIIF map solves the San Mateo problem, if that’s acceptable to Mr. Gaffney.

**Council Member Bowman withdrew his amendment.**

Council Member Gaffney asked Dr. Johnson what the impact of moving San Mateo to District 2 would be on District 7. Dr. Johnson said the Maroon IIIIF Fix map is the IIIIE Fix map with the San Mateo shift included. Council Member Cumber asked Dr. Johnson if the Maroon III maps were drawn in consideration of candidates for office. He said they were done as the Special Committee’s instructed, and he has no knowledge of the reasoning behind that direction. Ms. Cumber said she is disappointed that the Council would say it is too difficult to find a way to keep Riverside, Avondale and Ortega together and then immediately consider taking a chunk out of District 2. President Freeman said he is not persuaded by the allegations made by some people about why some decisions have been made and will act in as neutral and fair a way as possible based on the facts presented today. The total number of candidates currently running for office cited earlier by Council Member Howland is a factor and the choice of a starting point map needs to be as fair as possible for everyone. We need to get a map on the table so that the work can begin.

**The Gaffney amendment was approved 11-5.**

**The committee was in recess from 1:49 to 2:04 p.m.**

**Motion** (DeFoor/2<sup>nd</sup> Cumber) – amend Map Maroon IIIIE Fix to add Riverside and Avondale to District 14.

Dr. Johnson said District 14 would pick up the RAP area and lose the portion of Argyle north of Collins Road, and Districts 9, 10 and 12 would need to change as well. Council Member DeFoor said she had consulted with Property Appraiser and former Supervisor of Elections Jerry Holland and has an alternative that leaves District 9 alone and shifts part of District 12 to District 10. After an interlude during which Dr. Johnson created a new map to accommodate this change, Council Member DeFoor said that the consultant determined that the only way to accomplish the desired result for would be for District 12 to return to its current configuration which the court invalidated, so her desire can’t be accomplished.

**Council Member DeFoor withdrew her motion.**

Paige Johnston asked that the Council approve an amendment to correct a scrivener’s error, to revise exhibits to attach the adopted maps, boundary descriptions, etc., to add language authorizing the General Counsel’s Office and Planning and Development Department to make changes to text, exhibits and other related documents to reflect the Council’s actions, and to amend the bill title.

**Motion** (Floor Leader) – adopt the Maroon IIIIE Fix map with the technical amendments just outlined by the General Counsel’s Office – **approved 12-4**

**Motion** (Floor Leader) – approve Ordinance 2022-800 as amended as an emergency

Council Member Howland asked Council Member Ferraro to confirm for the record the reasons why he moved to have the San Mateo neighborhood restored to District 2. Council Member Ferraro said that he proposed the amendment as a result of the volume of community input and requests from San Mateo area residents to restore the area to the district in which it currently located.

**The motion was failed by a vote of 12-4 (13 votes needed for 2/3 approval).**

**The meeting was in recess from 2:35 to 2:41p.m.**

Council Member DeFoor said that she would like the Council to consider putting Riverside and Avondale in District 14 and compensating by returning District 12 to its current configuration. If Council Member White would be willing to accept that change then she would be willing to move for reconsideration of the bill so an amendment to that effect could be offered. Council Member White said he would need to see a revised map to see how his district would be impacted by the proposal.

President Freeman asked General Counsel Teal in what posture the failure of the vote leaves the Council. Mr. Teal said that either a member of the prevailing side (the 4 votes in opposition) could move to reconsider the bill and have other motions proposed, or the Council could take no further action and the General Counsel would report to the court that the Council has failed to adopt a map.

Council Member Salem asked if the General Counsel's Office could take the Maroon III Fix map to the judge and explain that it had substantial support (12-4) and only failed because several members were absent, and a 2/3 vote of the whole membership could not be obtained at this meeting. Mr. Teal said that a report will be made to the judge by the deadline which would explain the failure to present a new map. Then the matter would be in the hands of the court which could then consider the Plaintiffs' map.

**The meeting was in recess from 2:47 to 3:11 p.m.**

Council Member DeFoor said she has consulted with Dr. Johnson and Jerry Holland and is disappointed to report that there is no practical way to keep the Riverside and Avondale areas connected to Ortega and Venetia and make the rest of the map work. Nevertheless, she will move to reconsider the vote to allow further discussion of the map.

**Motion** (DeFoor) – reconsider the previous vote

Council Member Priestly Jackson said the compressed timeline to meet the court's deadline on a matter that has not yet been adjudicated is wrong and places the Council Members in an untenable position. She said the previous Special Committee on Redistricting went out to the community and heard their concerns and that informed the drawing of the current map. She asked when the City's appeal of the circuit judge's ruling would be issued. Mr. Teal said they requested the appellate court to respond to the motion appealing the injunction by November 8<sup>th</sup>. The Plaintiffs were required to submit their response to that motion by 5 p.m. today. Hopefully the appellate court will rule by next Tuesday. Ms. Priestly Jackson said she will continue to vote no on this map in protest of the artificial, unreasonable timeline imposed by the court's ruling. Council Member Morgan said the situation is unfortunate and some neighborhoods will be unhappy, but it's important to produce a map that has a good chance of being approved by the court. She asked Mr. Teal about the course of events if Council fails to report a plan to the judge by the deadline. Mr. Teal said the deadline to present a new plan to the judge is next Tuesday. If the City presents a map then the court will opine on that map. If the City doesn't present a map by the 8<sup>th</sup> then we need to explain why and then the Plaintiffs will have 10 days to present their map to the court for consideration. The City will have the opportunity to comment on the Plaintiffs' map. Council Member Gaffney said every Council Member had to give up neighborhoods they have represented and loved for

years but everyone also ended up with some of what they want. We don't want to leave the decision in the hands of the judge.

**The motion to reconsider passed unanimously.**

**Motion** (Floor Leader) – declare the emergency on Ordinance 2022-800 – **approved 15-1** (Priestly Jackson opposed)

Council Member Boylan arrived at the meeting at 3:26 p.m. from his service on the Election Canvassing Board. Paige Johnston informed Mr. Boylan about the Council's actions in the meeting to date and the failure of the previous motion to achieve the necessary 2/3 majority.

**Motion** (Floor Leader) – move the amendment consisting of map Maroon IIIIE Fix and the various technical amendments – **approved 16-1** (Priestly Jackson opposed).

**Motion** (Floor Leader) – approve Ordinance 2022-800 as amended, as an emergency

Council Member Boylan asked those who have voted against the bill to explain the reasons for their objections. Council Member Priestly Jackson said she cannot support the bill as an emergency given the artificial compression of an 8-month redistricting process into 27 days. The effort to meet the court's objections based on race have caused the Council to produce a map that ignores most of the concerns that public speakers have expressed. Ms. Priestly Jackson asked if the Plaintiffs get to comment on the City's map when it is submitted; Mr. Teal said they do. She asked what makes us think we will have any more success this time around. Mr. Teal said at every step of the way the City has done everything possible to comply with the judge's order.

**The motion was approved 16-1** (Priestly Jackson opposed).

President Freeman thanked the City staff, the Council Members, and the consultant for all of their hard work throughout this process.

**Meeting adjourned:** 3:37 p.m.

Minutes: Jeff Clements, Research Division  
[jeffc@coj.net](mailto:jeffc@coj.net) 904-255-5137  
11.9.22 Posted 12:00 p.m.