

## Attachment 5

**Single Board Member Redistricting Steering Public Hearing**  
**Thursday, October 11, 2012**  
**Start Time: 6:00 p.m.**  
**Location: Kathleen C. Wright Board Room**  
**600 SE Third Avenue, Fort Lauderdale, FL 33301**  
**Michael Rajner, Chair**  
**Marsha Ellison, Vice Chair**

### Agenda

#### **1. Call to order**

Chair Michael Rajner called the meeting to order at 6:13 pm.

#### **2. Pledge of Allegiance**

Suzanne D'Agresta, Special Counsel led the Pledge of Allegiance.

#### **3. Roll Call**

District 1 – Russell Chard  
District 1 – Kristine Judeikis  
District 2 – Barbara Jones  
District 2 – Marilyn Soltanipour  
District 3 – Paul Eichner  
District 4 – Latha Krishnaiyer  
District 4 – Mandy Wells  
District 5 – Roosevelt Walters  
District 5 – Roland Foulkes  
District 6 – Philip Busey  
District 7 – Sheila Rose  
District 7 – Ron Aronson  
County Wide, At-Large 8 - Alan Ehrlich  
County Wide, At-Large 9 – Mary C. Fertig  
Superintendent – Michael Rajner- Chair

The following committee members were absent from the meeting:

District 3 – Heather Cunniff  
District 6 – Vacant  
County Wide, At-Large 8 - Marsha Ellison – Vice Chair  
County Wide, At-Large 9 – Michael De Guccio

Jill Young announced the District 6 committee member vacancy resulting from Barry Butin's resignation.

#### **4. Approval of October 11, 2012 Public Hearing Agenda**

The agenda was adopted as provided.

## **Attachment 5**

### **5. Approval of September 27, 2012 Draft Public Redistricting Meeting Minutes**

The September 27<sup>th</sup> meeting minutes were adopted as amended.

### **6. Chair/Vice Chair's Report**

Chair Rajner shared with the committee that tonight's hearing was for the purpose of getting the map evaluations, evaluations and to discuss the process going forward. Mr. Rajner stated that the committee's work must be completed at the next meeting as there would not be demographic assistance at the November meetings and that staff would arrange for a typist to be available for the minutes at the November meetings.

Chair Rajner informed the committee that their recommendation needs to be submitted to the School Board by December 3rd in order to meet the December 11, 2012 workshop date. The November meetings are where the committee will write the report. Staff has reserved the School Board room on Thursday, November 8<sup>th</sup> and the 15<sup>th</sup> (if needed) from 6:00 p.m. to 8:00 p.m. November 15<sup>th</sup> would be the committee's final meeting unless the School Board requested us to relook at something.

Chair Rajner said there was no mention of redistricting or conflicting message on the sample ballot he received from the Supervisor of Elections office.

Chair Rajner mentioned Committee member Roland Foulkes received a special presentation at the last school board meeting for his many years of service for in the School District.

### **7. Staff Follow Up**

There was no staff follow up.

### **8. Redistricting Map Alternatives Legal Review by J. Paul Carland and Suzanne D'Agresta**

Mr. J. Paul Carland, School Board General Counsel introduced Ms. Suzanne D'Agresta, Special Counsel who apologized to the committee stating the September 25, 2012 memo was intended to provide the committee some clarification and was not intended to cause any confusion. She stated the memo was intended to help the committee ask the questions that would help the committee to determine the rationale for each map created. The statutory goal is to have equal population in each of the districts. When maps stray from the requirement, the maps are not wrong, but the committee needs to ask the question why. The answer may be reasonable and legitimate for the need to stray from the equal population.

Ms. D'Agresta stated she would be here throughout this meeting to help the committee when they had questions.

Ms. D'Agresta clarified that the shape of the districts is in the eye of the beholder and that there is no specific test for this unless the committee wanted to apply a mathematical test they came up with as a committee or the local government decision. The courts do not decide this.

## Attachment 5

Ms. D’Agresta went on to say that there can be many different ways to decide if communities of interest have been considered and whether or not they should be split. Neighborhoods, special interests, ...is there a community of interest you need to address? Is there something that binds people together into geographic groups. This is a local decision.

A question was asked whether an analysis was done to determine if people can vote for a person of their choice.

Ms. D’Agresta stated this is not a legal answer but she has seen other communities look at previous elections to determine if that area votes the same. If there is a wide diversity, then the best candidate wins.

The next question concerned whether the committee should be using Census block groups or Voter Tabulated Districts (voter precincts). To this Ms. D’Agresta clarified the courts have not said one way or the other. If you have split voting precincts the Supervisor of Elections would then take the information and make any needed changes.

Patrick Sipple restated what he said in earlier committee meetings that he did speak with the Supervisor of Elections (SOE) staff who stated they used Voter Tabulated District (VTD). Pat and Jill also stated they spoke to Broward County’s redistricting coordinator and the map maker who both stated Voter Tabulated Districts were used to make the county commission map. Patrick informed the committee that there are more than 1,000 VTD shapes and more than 21,000 block shapes and that the SOE would assign new precincts to reflect changes if needed.

### 9. New Business

#### **9.1 Community Comment by City of Plantation Mayor Diane Bendekovic**

Chair Rajner provided the committee with a letter he received from the Mayor of the City of Plantation followed up with an similar email from Plantation City Commissioner Peter Tingom expressing their thoughts as individuals.

#### **9.2 Members Submit Initial Map Alternatives Rankings in Order of Preference**

Patrick verified he had received all committee member map rankings and proceeded to share the outcome of the committee’s top four map alternatives as being maps 5, 7, 9 and 10.

Map	Rajner	Ehrlich	Fertig	Rose	Busey	Foulkes	Cunniff	Jones	Soltanipour	Eichner	Judeikis	Walters	Krishnaiyer	Chard	Ellison	Aronson	Wells	DeGruccio
1		4	3					2	4									
2						1					3							
3																2		
4							4	3		2		4	3			1		
5	1	3	4	1	1	2	1		1		1		2	2				1
6	4			2														4
7	2	1					3		2					4	3		4	3
8								1	3	3								
9				3	3	4		4		4	4	3		4				
10	3	2	2	4	2	3	2		4	1	2	2		1	1			2
11																		4
12			1		4							1					3	

•Map rankings were gathered from committee members' submitted forms or email.

•The table illustrates the top 4 maps in order of preference for each committee member.

Marsha Ellison and Michael DeGruccio did not submit map rankings.

## Attachment 5

Alan Ehrlich motioned to accept the four maps that received the highest tallies – 10, 5, 7, 9.

Kristine Judeikis 2<sup>nd</sup> the motion

10 in favor, 4 against. The original motion pasted

### **9.3 Discussion of Individual Committee Member Map Alternative Rankings Utilizing Guiding Principles**

The committee addressed each of the four highest ranking map alternatives that were addressed in the September 15, 2012 memorandum provided by J. Paul Carland, General Counsel.

Community member Rose Waters addressed the smaller total population size of District 2 in map alternative 9 created by Ms. Waters and co-authored with committee member Roosevelt Walters. Ms. Waters stated that District 2 is drawn with less population because of the rapidly growing population that would soon be increasing in population within the next census. District 5 population is high to ensure minority representation.

Phil Busey addressed the odd shape of District 5 within map alternative 5 he created which placed the South Plantation Innovation zone within one district.

Community member Nathalie Lynch-Walsh addressed the odd shape of her map alternative 7 in terms of compactness. She stated she tried to keep the city of Plantation and the innovation zones together as well as the accounting for the irregular shape of the cities of Sunrise and Lauderhill resulted in an odd shape.

Map alternative 10 created by committee member Russell Chard addressed why district 5 in his map is no longer a majority minority district. He stated district 5 was only one percentage point off from being a minority majority district but still has minority access. He stated multiple minority groups add up to a majority and believed that this was permissible.

Ms. D'Agresta addressed committee member's question if a minority majority district was less than 50% +1 and whether it would still be considered a minority majority district if it remained the highest percent compared to the other districts. She stated that it would not be considered a minority majority district but a minority coalition district where two different minority groups would come together to vote the same.

Committee member Roosevelt Walter stated in Broward County the Hispanics and Whites are more of a coalition than the Hispanics and Blacks.

Ms. D'Agresta stated that as far as compactness Mr. Chard did an excellent job at explaining his map and the committee may want to have further discussions on coalition groups in this map.

## Attachment 5

The committee then began discussing how to proceed with recommending a map and future hearings. The committee decided to proceed with using the matrix comparison form with each of the guiding principle categories for each map.

### 9.4 Committee Selects Map Alternatives to Move Forward

#### Category A “Districts are as nearly as practicable, equal in total population”

Map 10 – Phil Busey stated all four maps were within the 5%.

Map 9 – Mary Fertig stated that with a couple of tweaks the numbers could be brought closer.

Alan Ehrlich stated he felt that category A was the most important and that although all the maps comply with this category, and that map alternative 7 seems to comply more closely. Latha Krishnaiyer agreed and stated she ranked map 9 high because of the population.

#### Category B “Districts are as nearly as practicable, equal in total voting age population”

Mary Fertig ranked map 9 lower because the voting age was above 5%. Phil Busey stated only map 5 was below 5% and the other 3 maps were not. Marilyn Soltanipour ranked map 5 the highest in this category as did Latha Krishnaiyer who ranked maps 7 and 9 lower. Roosevelt Walters brought up a concern that the School Board did not request voting age population be one of the guiding principles. If category B is not one of the guiding principles should it be considered by assigning a point value?

Category B was included because the committee felt this was relevant to protecting voting rights.

Chair Rajner stated category B would fall under a required guiding principal and all the other categories C through H would be principles to consider and felt that the committee was never oriented on this and only later became aware of this.

Ms. D’Agresta clarified the Florida statutory requirement is total population and is what should be equalized. Under the law we use total voting age population to analyze other criteria such as communities of interest, minority majority districts to analyze on a deeper level this is what you would use voting age population for. Voting age population is data issued by the Census Bureau but you use it differently to analyze your other factors with regard to your voting districts.

#### Category C “Districts shall be compact and contiguous”

Phil Busey stated he believed all four of the maps were reasonably compact and only one map, map 10 stands out having very compact boundaries. Mary Fertig thought maps 9 and 10 were very compact more so the 5 and 7.

#### Category D “Districts shall where feasible, utilize existing political and geographical boundaries”

## Attachment 5

Some committee discussion of whether North Lauderdale was included in district 7 and whether it was possible to include all of the municipalities in one district. Alan Ehrlich felt that including all of the city of Plantation in one district was a strength of map 7. Mr. Walters did not agree that keeping any city in Broward County should have any more weight than any other city. Further discussion of map 7 and the number of split city boundaries. Russell Chard believes that maps 4, 7 and 9 are almost identical in preserving governmental boundaries. Latha Krishnaiyer stated map 10 has the least city boundary splits. Marilyn stated that when she evaluated map 10 she counted 19 cities that remain whole, 7 cities had 2 splits Board members, and 3 cities that were split into 3 single Board member districts.

### Category E “Preservation of communities of interest”

Phil Busey did not rate this because he did not know what it meant. He felt the maps achieved racial diversity and that cities were created as communities and he felt that a lot of beach communities feel they are part of one area. The Lauderdale Lakes commissioners liked map 5 or certain schools to be within a district but that was one person’s percept of what communities of interest are.

Ms. D’Agresta provided clarification that the committee must decide how communities of interest can be addressed. If the committee feels they have addressed this by looking at municipal boundaries or by looking at minority majority districts or however else it is up to the committee to decide whatever is most appropriate.

Latha Krishnaiyer also stated she had trouble with this category but remembered hearing one community member stating she wanted Pompano and the Deerfield community to be together so that was a community of interest to her.

Chair Rajner shared the committee had heard many conflicting community member thoughts on what was a community of interest.

### Category F “Ability for populations to elect representatives of their choice”

Some discussion was had on whether the students living in the Town of Southwest Ranches attend schools in district 2, but are represented by a board member in district 6 and would never be able to vote for the board member representing their schools.

Ms. D’Agresta stated that all board members are non-partisan and represent the district and not just schools in their district and that frequently is a completely different process but students will be zoned to a school in a different district from where they live. From a legal perspective this is not a legal concern but if this is something the committee is concerned about then that should be something that you should talk about in your map development.

It was stated by committee members that the Town of Southwest Ranches is completely within maps 5 and 7.

## Attachment 5

### Category G “Alignment of single member districts with equal numbers of schools”

Russell Chard map alternate 10 had the best distribution and map 9 came close followed by maps 5 and 7. Phil Busey equalized maps using high schools rather than the total number of schools. Marilyn Soltanipour totaled the number of elementary, middle and high schools since charter schools had a tendency to change. She stated map alternative 10 had a difference of 5 schools, map 7 brings the number to 6 schools, map 9 comes closer to 1 school and therefore maps 10 and 5 are closest to having equal numbers of schools.

Latha Krishnaiyer mentioned charter schools do not have zones.

### Category H “Alignment of single member districts with Innovation Zones”

Mary Fertig stated map 10 and 5 had 15 zones, map 7 had 14 zones and map 9 had 11 zones. Marilyn Soltanipour stated the Town of Southwest Ranches within the district 2 zone should be looked at. Marilyn also stated she looked at how many schools a board member would be split into and on map 10, district 3 would be split into 8 different high schools plus the other schools as part of the feeder pattern.

Jill Young reiterated that school boundaries are looked at on an annual basis and could change next year.

Marilyn stated that the Town of Southwest Ranches took the time to come these hearings so it is something of major importance to them and that through this process we gave opportunity to the whole county to come out and voice their concerns. Chair Rajner agreed that the record should reflect the Town of Southwest ranches was at almost every one of the hearings and that Melissa Gleissner also submitted a map. Ron Aronson stated that from the beginning he wanted to stick with looking at cities and asked a former board member about this and her first thought was to stay within the innovation zones because of the student friendships that are made from elementary to high school. Mr. Aronson also stated horizontal lines across the county would balance out the diversity but then thought why we are doing this and decided to stick within the innovation zones.

Marilyn Soltanipour shared that the school boundary process was not going to be discussed through the innovation zones. Jill Young stated that through historical documentation the innovation zones were derived as a means of communicating with people who had similar interest from attending feeder schools and that was the purpose of creating innovation zones.

Additional committee discussion was had on school board school representation and the weight put on representing the school building when there are two at-large school board members who representing all the schools. The School Board members are elected to represent the district and not the school building which is represented by the people who work in those buildings.

Mary Fertig stated she liked the idea of using a numerical value that it is a judgment call as to whether we keep groups together. By minimizing splits within a zone, we can say we kept the maximum number of zones together, which is what we should be weighing.

## Attachment 5

Marilyn Soltanipour stated she believes that the community of interest starts with the children who attend the schools.

Roosevelt Walters reiterated he believes the committee must be mindful of the law.

No other concerns were expressed on the four maps.

### **9.5 Discussion and Review of Map Making Process**

- Identify Goals, Objectives, and Specific Considerations
- Begin Mapping Process based on identified Goals, Objectives, and Specific Considerations

Phil Busey stated he thought the committee should create a new map and the goal is to improve on minority access. Mr. Busey stated that the maps should have three minority access districts. Mary Fertig agreed with Phil and stated this was why she liked map 12. The goal was to make minor changes to have multiple maps.

There was more committee discussion on whether they should take one map and improve it, or create a whole new map. The motion was introduced by Roland Foulkes was adopted after debate and amendment as follows: That maps 5, 7, 9, and 10 be tweaked where possible, rank the four and submit all four. The motion passed unanimously.

### **10. Public Comment**

Rose Waters stated that in map 9 and maps 5 two minority districts have the ability of choosing a representative of their choice.

Nathalie Lynch-Walsh stated that she thought the ability to take the input and make tweaks solves her concerns. The biggest difference between maps 7 and 5 was that she flipped plantation and Sunrise. She felt that if there was a school boundary change and the feeder patterns were cleaned up those splits would go away.

### **11. Committee Input**

- a. The chairman announced that the November committee meetings are scheduled for Thursday, November 8th and Thursday, November 15th.
- b. The chair asked for suggestion from the committee on future business that needs to be discussed or considered by the committee and announced that agenda item 9.5 from this meeting's agenda will be the main agenda item for the next meeting. 9.5 reads as follows:

9.5 Discussion and Review of Map Making Process, Identify Goals, Objectives



## **Attachment 5**

Map authors are to tweak their map, which are due by October 16<sup>th</sup> to go out to the committee by the 17<sup>th</sup> before the hearing on the 24<sup>th</sup>.

Chair Rajner asked if there was any objection by the committee to allow the map makers to sit at the table to enable better discussion with the committee at the Wednesday, October 24<sup>th</sup> hearing. No objection was made.

All map makers stated they would be able to make an appointment with Patrick so they could make tweaks on their maps by the 16<sup>th</sup>.

### **Adjourn**

The meeting was adjourned at 10:09 pm.

DRAFT