

COUNCIL PRESENT: Bruner, Dunagan, Wangemann, Hamrick, Figueras
STAFF PRESENT: Padgett, Palmour, Felts, Jordan, Grayson
STAFF ABSENT: Sheppard

PURPOSE OF THE MEETING: To receive information regarding the Redistricting Project

Mayor Bruner called the meeting to order.

City Clerk Denise Jordan stated the redistricting process was the process of redrawing the ward boundaries so that the population is equally distributed among the five wards. It is prompted by the release of the 2010 census data in April 2011. She used a power point presentation to discuss various information.

The Project Team consisted of members from the Board of Education Office, the Community Development Department, the Hall County Elections Office, and Legal Council.

They had been involved in two tasks to date which included 1) visiting the Legislative and Congressional Reapportionment Office to assist with the preparation of a map and 2) evaluating the proposed map to determine if any issues or concerns needed to be addressed. She felt it was important to note that neither the City Council nor the Board Of Education has been involved in the process nor had they seen the maps prior to this meeting.

Mrs. Jordan commented on the six goals, i.e., fairness, avoid discrimination/bias, the same boundaries for Council and Board of Education, adopt a redistricting plan before November, transparency and successful preclearance.

Mrs. Jordan introduced Attorney Drew Whalen as an expert on redistricting. He was in attendance to discuss the legal requirements, other considerations and implementation options.

Mr. Whalen expressed his gratitude to Mrs. Jordan and the Project Team noting they had done much of the legwork. He shared history about redistricting and the process by which it was derived as well as the laws as they exist today. He commented on the form of government, i.e. the Council being elected at-large and the Board of Education being elected by District.

Mr. Whalen shared information regarding the Federal Voters Rights Act (VRA). He specifically commented on a 2006 amendment that allowed protection of Hispanics/Latinos. He also commented on VRA Section 2 being a non-discrimination provision and on VRA Section 5 requiring preclearance of any changes to voting procedures.

Mr. Whalen commented on the window of time to complete the redistricting process utilizing Home Rule Powers indicating the process begins when the census data is released and ends at the next regularly scheduled election. He noted Georgia's Election Code changed in the late 1990's which shortened the period of time to complete redistricting via Home Rule (from almost two years to barely seven months). This created a challenge. He felt there was not enough time to submit a new plan to be in effect for the November election which meant the upcoming election would utilize the existing ward map. If an ordinance is not adopted before the November election, the boundaries would need to be amended by the Legislative Delegation.

Mr. Whalen stated the current plan would be considered the benchmark plan. In addition, all annexations occurring since the benchmark plan was adopted must be precleared with the

Department of Justice. He stated it would be best not to enter any annexation projects as they would affect the plan.

Mr. Whalen shared information regarding the process of preclearance and submission. He also discussed the state requirements pertaining to contiguous properties/identifiable boundaries, one person one vote requirements (deviation of 5 % \pm) and adjusting boundaries of existing districts only as much as required.

Changes to the redistricting plan must follow two criteria under the Voter's Rights Act.

1. The proposed change must not have an effect of denying or bridging the right to vote on account of race, color or language minority; and
2. The proposed plan should not be retrogressive or worsen the position of minority voters from the benchmark plan.

Mr. Whalen discussed other allowable considerations which included the traditional political boundaries, compactness/fragmentation, contiguity, core retention, preservation of communities of interest and political gerrymandering. He also discussed the preclearance components which included public participation and a Section 5 Review Standard that determined there was no regression.

Mr. Whalen stated it was important to have a transparent process that allows the public an opportunity to participate. He commented on an emerging influence of Hispanic voters even though voter participation was very low. There was discussion about the 2010 Census data reflecting approximately 10% overall growth with 8% being in the Hispanic population. Mr. Whalen expressed some caution about considering the data to be 100% accurate noting Census counted Hispanics/Latinos differently this time than they've done in the past. It was a broader type count and they did more estimating of documented individuals.

Mr. Whalen stated there had been some discussion with the Board of Education (BOE) about amending the ward boundaries under Home Rule powers for both the Board of Education and the Council. He thought the BOE attorney was comfortable with this.

City Clerk Denise Jordan discussed the proposed plan for adoption. She proposed that the ward boundaries be adopted via Home Rule Ordinance and discussed the process, plan of action, preclearance submission and the effective date.

City Clerk Denise Jordan discussed the 2010 Census Data as applied to the current ward map. The ideal population for each ward was 6,761 individuals. The data indicated four wards needed to be addressed because they exceeded the 5% \pm deviation.

Council Member Figueras asked for clarification of using population versus registered voters. It was noted that the boundaries are drawn based upon the population but the Department of Justice will analyze information based upon Voting Age Population.

Mrs. Jordan explained the process of creating the proposed map at the Reapportionment Office in terms of shifting census blocks from one ward into another ward. When the work was completed, calculation indicated the proposed map was within the 5% \pm deviation that has been discussed. She reviewed the census data comparison and the proposed map versus the existing map.

Mr. Whalen indicated the Legislative and Congressional Reapportionment Office had been experiencing some staffing issues. Their current focus was to get through the special session in August. He felt access would be very limited and expressed a desire to bring Linda Meggers into this process to provide assistance as an independent consultant. He suggested revisiting Ward 5 to see if it can be kept intact. He also suggested revisiting Ward 3 to see if the black population could be increased back to 41.34% or close to it. Mr. Whalen stated the plan was not retrogressive if you can show a change in housing patterns and/or a change in where minorities are living. He also stated there was not a true majority-minority district in Gainesville.

Council Member Figueras inquired about minority groups in Ward 3 and the changes in Blacks vs. Hispanics. She stated Ward 3 had experienced an influx in Hispanic/Latino residents.

City Clerk Denise Jordan displayed the shape of each ward, the existing map and the proposed map noting the copies would be distributed following the meeting. Ward 3 had the largest geographical area; however, it was important to note the non-residential properties within the Ward. Ward 4 had the greatest potential for experiencing residential growth in the future.

Mrs. Jordan stated Council was not expected to make a decision today. Instead, Council was asked to study the maps and be prepared to have discussion during the July 28th Work Session. She stated it was important to remember that all discussions regarding the redistricting process should be held in public meetings for transparency purposes.

PUBLIC COMMENTS:

Mayor Bruner opened the floor for any questions/concerns. There being none, the matter was returned to the Council.

COUNCIL COMMENTS:

Mayor Bruner confirmed that since the Council is elected At-Large, the map doesn't matter as much to the Council as it does to the Board of Education. Later, she stated she would be out of town next week but would submit comments to the City Clerk.

Council Member Figueras recognized Ms. Doris Evans as one of the four individuals serving as a reference for the City of Gainesville with the Justice Department. Mr. Emory Turner was also recognized for his attendance.

CLOSING REMARKS:

City Clerk Denise Jordan thanked the project team for all their participation.

ADJOURNMENT: 10:09 AM

/ag

Ruth H. Bruner, Mayor

Denise O. Jordan, City Clerk