

REDISTRICTING COMMITTEE MEETING

Wednesday, August 25, 2021

5:30 p.m.

Brevard County Government Center

2725 Judge Fran Jamieson Way

Viera, Florida 32940

Building C, Florida Room

A. Call to Order

- a. Steve Crisafulli, Chair: Called the meeting to order at 5:30pm, If I could have your attention at this time we'll do roll call. Teresa, if you could do that [off mic.]

B. Roll Call – Teresa Rivera

- a. District 1 – Robin Fisher, Robert Jordan, Kendall Moore
- b. District 2 – Josiah Gattle, Susan Hodgers, John Weiler
- c. District 3 – James Minus, Alberta Wilson
- d. District 4 – Todd Pokrywa, Sue Schmitt, Henry Minneboo
- e. District 5 – Steve Crisafulli, Jason Steele, David Workman
- f. Vice-Chair Yvonne Minus – absent for roll call
- g. Staff – Jim Liesenfelt, Tadd Calkins, Abigail Jorandby, Lois Boisseau, James Shives, Teresa Rivera

Teresa Rivera: Let the record show we have a quorum.

Steve Crisafulli: Thank you for that. Just a friendly reminder, this meeting is recorded and it is dictated so when you speak, speak clearly and loudly into the microphone to make sure when we do our minutes later we are able to pick up what was said during this meeting. With that, can I get an approval of the minutes you received in your e-mail I believe last week

C. Approval of Minutes, May 18 2021

- a. Motion made by Robert Jordan
- b. Seconded by Alberta Wilson
- c. All in favor
- d. Motion passed

Steve Crisafulli: All right. Miss Abby, If you would come up and committee since it had been a little bit since we last had our introductory to the sunshine laws and kind of the review of the memos that Abby had sent out, I wanted to go ahead and get started with that as we're hopefully going to be meeting on a regular basis now we have some data in and being input into our system. So with that,

Abby, if you would go ahead and lead us through the sunshine law and review of the memos you sent out to all.

Unknown: We have to congratulate her, don't we?

Steve Crisafulli: Yes, well-deserved, well-deserved congratulations.

D. Sunshine Law

Abigail Jorandby: Appreciate it. Thank you so much, everyone. And good evening. It is great to see everyone here. We have a great turn out. This is a great time to also just to do an update on our Sunshine Law, the last time I spoke it was really a high-level view of Sunshine so I'd like to just get a little bit more in the weeds about what is actually required of this committee, as a member of this committee.

{5:33 p.m. – Yvonne Minus, Vice-Chair arrived}

To begin, the Sunshine Law provides the public right of access to governmental proceedings. All meetings must be open to the public with reasonable notice given of the meeting and meeting minutes must be recorded promptly after the meeting. As a member of this committee, the Sunshine Law is mandatory. You have to comply with the Sunshine Law and there are penalties that may result if there is a violation, a knowing violation of the Sunshine. So, what am I really talking about. How does it apply to a committee member? Two or more committee members cannot discuss committee business outside of a publicly noticed meeting. Committee business is defined as any matter which foreseeably will come before the committee for action. So, keep that in mind, two or more members cannot do that outside of a publicly noticed meeting.

I wanted to give you an example just to give you some background of what I'm talking about. I did a hypothetical Town Parks Recreation Committee. Five committee members, the duties include the review and recommendation of proposals for a new landscape company for the town. So, the committee has received bid documents, they have received the responses. Two committee members want to meet at a local Starbucks before a meeting to discuss the submitted responses of the potential landscape vendors, can they do this? No, that would be a violation because at that point in time, meeting at a Starbucks between two members of the same committee would be a violation in that it's not a publicly noticed meeting. Once again, why is it a violation? Notice was not provided to the public, the public was not able to attend, and minutes were not recorded. Essentially, even though they may be well-intentioned, those two committee members that meet up at Starbucks, discuss committee business that would come before them at a future meeting would be violating the Sunshine Law. Another example, what if those two members instead of the local Starbucks, decide to meet at a library. Doesn't matter, location does not matter. That would be a violation as well. Once again, it's business that's going to come before the committee, it's being discussed outside of a publicly noticed meeting, between two committee members of the same committee, be very aware of that.

Does the Sunshine Law apply only to “in person” meetings? Absolutely not. Of course, we have in the legislation a broad definition of that, it’s an expansion of that, not just in-person meetings, it’s also written correspondence. Emails, text messages, or any other electronic means, phone conversations, and now we even see Facebook and social media. If you have two members of the same committee discussing business that could come before the actual committee as a whole for a vote, that’s a violation of the Sunshine Law. Keep that in mind that not just meeting at Starbuck’s or hey I’m texting another committee member what do you think of this, that would be a violation. We talked about this briefly at the last meeting, can you socialize, absolutely, just remember not to discuss committee business at that social event. Can you meet with staff members such as our Assistant County Manager, absolutely, you can discuss with us but you cannot use staff to be a liaison between yourself and another committee member to discuss any kind of matter. To give an idea, well I like this option, or you know, Jim can you tell another committee member this is how I’m thinking I’m going to vote or you cannot use us as a liaison or what they call a conduit, keep that in mind. So, what are the penalties for violating the Sunshine Law? A knowing violation of the Sunshine Law is a misdemeanor of the second degree. A second-degree misdemeanor is punishable up to 60 days in jail and a fine of up to \$500 so there are severe penalties if for some reason there is a finding of a knowing violation of the Sunshine Law. Those are criminal penalties. We also have the possibility of being removed from office, so obviously this is an appointed committee but if there’s a knowing violation and that’s found, you could be removed from the committee altogether. There are also noncriminal infractions involving violations of the Sunshine Law that provide that any public officer violating that law can also be punishable by a fine of \$500. So we have fines, we have possible jail time, and removal from office, it’s just not worth it, it’s something that’s very easy to comply with and we also have attorney fees as well. It’s something just to keep in mind, be very cognizant of the fact that once you became a committee member on this committee, you cannot discuss committee business with any other member outside of a publicly noticed meeting such as this.

In summary, compliance with Sunshine Law is very easy. Do not discuss committee business with a fellow committee member outside of a publicly noticed meeting. Remember that committee business would include any item that will foreseeably come before the committee for action. The medium of communication does not matter – whether it’s in person, a text message or an email - if for any reason you have any questions please feel free to reach out, call me, call my office, we’re here to help we deal with the Sunshine all the time it’s something we’re really familiar with, we want to help you so if you have any questions please do that. Are there any questions on this item?

Steve Crisafulli: Any questions from the committee? Seeing none. Alright Abby if you would, go ahead. At the last meeting we did have a couple of questions that were brought up and there was asked to be some research done on the majority and minority

districts and what that would look like through the redistricting process if that is allowable and then also on the MSTU's and how those break out.

E. Review of Memos

Abigail Jorandby: I'll start with the majority/minority district, and the redistricting process. Everybody should have received a copy of my memo. I'll give a brief summary of what we were able to research and find out about this proposal. Keep in mind the mandate under our Charter 2.2 section is to create even population distribution among the 5 commission districts so that is our mandate as a committee we're trying to even out the population, now that we have some data, we have some work to possibly do here. Typically, the traditional redistricting principles involve analyzing that data and redrawing the district boundaries using the tools of compactness and contiguity. Compactness is a term that the courts use as far as when you're dividing up a new district or recreating a district. You're looking at how the citizens in that district relate to each other, do they have some kind of relation between themselves. Contiguity is about regional integrity and keeping the integrity of the different regions and we can go into that in a little more detail. As far as the majority/minority district concept, it's not per se prohibited by the courts however, we have to keep in mind that we have the 14th amendment. And the 14th amendment mandates racial neutrality in governmental decision making and applies to redistricting. Typically, when making a government decision you're supposed to use racial neutrality. When we have the proposal of a majority/minority district and using potentially race as a guidepost, you're looking at something where we're stepping a little bit aside from the 14th amendment, we're actually using a different concept than racial neutrality. The courts defined it as racial gerrymandering. That is the deliberate and arbitrary distortion of a district boundary for racial purposes. Courts have found racial gerrymandering when the redistricting body subordinates the traditional race neutral principles to racial considerations. Essentially, like I said, it's not per se prohibited by the courts, I did provide some a list of some cases, you'll see 3 cases where a majority/minority district was upheld and you'll see some cases where it wasn't upheld, it's not that it's prohibited, it's just that at that point in time when a court finds that a legislative body such as the commission when they adopt a majority/minority district has actually used race as one of the tools, it has a higher scrutiny applied to it. The court's going to look at it with a stronger eye than just the typical redistricting principles of the compactness and contiguity. Essentially the reason why the courts do that, if you'll see the cases in my memo, the courts are looking when you use race as the single filter to evaluate how to create a particular district, the courts are looking at that with a higher scrutiny and they're looking to see, if it's not just race, you can't just say you have someone who is a Hispanic, this Hispanic individual who's going to vote is the same and we're going to put them all into one district. They're not looking for that, they're looking to see truly in the majority/minority district, and I'm fighting from this one case, the Terrabone Parrish case in my memo, do these residents of this particular race share a common bond, common socio-economic characteristics, shared libraries, places of worship, recreation and overall conditions. The concept I really got from the

case law was if you're going to create this district and have a majority/minority district, you're still having individuals in a district that will vote for one commissioner who has to represent everybody. And if you really do have individuals that are kind of just drawn together because of just race, you have to really consider, do they have the same issues confronting them. If someone in a northern region of the county actually looking at the same issues as someone who lives in the southern county because that one commissioner is going to be tasked with the obligation to really address that and you don't want to see individuals really being disenfranchised. The commissioner really has a challenge if there's such a disparity among the socio-economic conditions and they don't share a bond. You'll see in these cases that yes, there have been instances where a majority/minority district has been upheld, but there has been a lot of legislative history that can be shown why that district was actually drawn in that manner. It is critical to know that you can't just use race, they had particularly I think it was in Texas, they would use the Hispanic race, we're just going to put this area together because they're all Hispanics, unfortunately this is the way it was looked at, they vote the same way. Well you can't do that. There has to be this socio-economic common bond, they are facing the same issues of all these individuals, there has to be some kind of relation, it can't just be race is the single filter. That would be something we would be very cautious of. Obviously, the courts go into language that once they have this high scrutiny, when you're looking at a majority/minority district that has clearly had race as a consideration, it has to be narrowly tailored to meet the compelling state interest. It's not enough just to say we are concerned about a violation of the voting rights act. At that point you have to show that you have some kind of possible issue for voting in that regard. There's a lot here in the memo, I was trying to do a little bit of a summary. Obviously, I'm open to questions. It is not per se prohibited, it is something that can occur. We just need to have a basis, it's a tool that can be used but we also have to use the traditional redistricting principles and keep those in mind because really, when it comes down to it if we have a district that's been redrawn based in a majority/minority style, it's that one commissioner, can they really realistically address all the needs of that particular community, that was really what the courts, if I can boil it down, that's what the courts are looking to see - does it make sense, are they facing the same issues as a community and that's something we'd have to answer that question. That would be something the courts would be looking for as far as doing a majority/minority district.

Steve Crisafulli: Any questions from the committee? All right. Seeing none, you can move to your memory on the MSTUs.

Abigail Jorandby: Back to our MSTUs, this is our memo everyone should have received on the Municipal Service Taxing Units, just a refresher this is a mechanism that the county can establish to levy ad valorem tax revenue within all or a portion of the unincorporated areas of the county we see that for fire protection, law enforcement, parks and rec, so these are already established so I

did do a research on the ones that we have and the question really revolved around the fact are these districts what we call coterminous or do they have specific legal boundaries and how is that impacted in our redistricting process. I just bring us back to our mandate from Section 2.2 of our charter that we are really here to even out the population distribution and this is something to consider and I do believe we have the software and the ability to show the different MSTUs if need be. But just my list just to go quickly through it, we have road and bridge, we have actually 7 road and bridge MSTUs. Specifically, 4 are coterminous so essentially those 4, if we change the boundaries of district one today, it would flow along with it, they do not actually change. However, we do have 3 that essentially - well, we have two that actually have legal descriptions so their boundaries are set by legal descriptions we have seen and I have in my research where redistricting committee came in so many years back and did make changes in the district composition at that point in time the board of county commissioners would have to step in and actually re-address that legal description and they have done that, they have adjusted those boundaries on prior MSTUs. So that is an option if for some reason that occurred. Similarly, with Parks and Recreation, we have 3 there. D1 MSTU are coterminous with the boundaries of the D1 commission district which also includes the boundary of the city of Titusville but excludes our recreation district four. A recreation district is something different established under a different statute, that's not what I'm talking about as far as the MSTU. Then we do have the Port Saint John, Canaveral Groves, and the Merritt Island MSTU for Parks and Rec which are done by legal description. So once again if somehow there is an impact, the board of county commissioners have done it in the past and can make that modification to the MSTU boundaries. The law enforcement MSTUs are coterminous with all unincorporated areas of the county but exclude the Canaveral Port District. That one would be pretty easy, they would just move along as the districts are adjusted. Fire Control and Protection, we have the firefighter support MSTU are coterminous for the entire unincorporated areas of Brevard County and there were included later the town of Palm Beach Shores, City of West Melbourne, town of Melbourne Village and later amended to exclude the Canaveral Port District. The coterminous ones are they will just move along with the boundaries and if for some reason District 1 changes it would have that shift, the ones with legal descriptions we would have to address. I go back to the mandate is we really need to focus on the population and the changes that our population has had. That would be your focus, and I can read that section to you. The committee essentially is to the extent practicable, preserve several municipalities and geographically cohesive racial or ethnic minority communities from fragmentation. We're adjusting the population we obviously can take into consideration the MSTUs but we obviously have the ability to modify that, the board of county commissioners later if for some reason there's an impact to the MSTUs.

Steve Crisafulli: Any questions? All right. Seeing none, thank you.

Abigail Jorandby: Thank you.

Steve Crisafulli: Next we're going into the Census data that we have received at this point. As I mentioned we've gotten the information that's why we're able to come together and meet however it hasn't all been uploaded into our system, so Jim will present to us what we have at this point which is truly the data which lays out exactly how the numbers are and then he'll go into kind of the next steps with regard to where we are in the process of uploading that into our system so with that, you're recognized.

F. 2020 Census Data

Jim Liesenfelt: Thank you Mr. Chair, we have James here from IT so you're going to get the Jim and the James show and he's the smart guy so remember that everyone. (laughter) What we have the Census Bureau last week, two weeks ago released what they call data summary files, it's just the basic files that you would load in the software, I'm sure you saw the article in the newspaper that had some of the highlights so we're able to give you the total County population and then James took the files and put it into our GIS software and was able to break up some of the demographics by the current districts. So we just want to show a couple of those but the data isn't complete. If you want to look to see what city populations are, we don't have that yet. Some of the other stuff that we look at as County staff, you know, age distribution, income, all the other sort of data you get from Census, we don't have that yet either. Within our GIS software, James is able to take the data summary, and in my words, create his own level to show where all the population is based on block groups and blocks but it's not the same module that you'll be able to draw district boundaries yet and say if I drew this circle this is going to give me a 100 thousand people. The software isn't there. He got an update from ESRI today and they're talking early September. But what I want to do is at least give you a couple pieces of information on the data. We do have target numbers for you and then you'll see on the spreadsheet at your seat a little bit better. The population for the County is 606,612 so it's an increase of about 63,000 folks, about an 11% increase for the entire County, so that was easy. What we have here is the target number for the 2020 commission districts, it is a pretty complicated, formula we took 606 and divided by 5. So, we have 121,322.4 and honestly if you go through the spreadsheet, well enough you'll see where the two people dropped off, the data's that good. In 2010 the target number was 108,675. So, you're looking for each District on average, would have an increase of 12,647 persons. What we did here, and this was James putting this together, the 2010 population by district, we showed at the last meeting, you can see it's pretty close I think there's only 1 that's even a 1% margin of error, so it was all pretty well together. There's the 2020 population for each of the districts you can see District 1 is 115, I'm repeating here a little, District 2 is 114,000, District 3 is 126 District 4 is 127, and District 5 is 123 – so you see the population increase 3,4, and 5 are somewhere between 15 and 19,000 and Districts 1 and 2 are in the 5,000 range and so the last column and this is me, what I did there, I took your 121,000 number and

either added or subtracted if you want to go off the existing districts or use them as a base, that shows you that you have to add some population in District 1 and 2, and then you have to subtract some population from 3, 4 and 5. Now that isn't the exact number, you'll have to do, you'll all come up with whatever your margin of error that you find acceptable then make some adjustments. But that gives you an idea if you use the existing districts on how much you'll have to start moving some population around. The very last slide, try not to read it on the screen, is the exact same thing that you have there in color, this is the demographic, and this is straight from the Census Bureau. We didn't do anything, we just put it together for everybody. The column, the set of numbers at the very bottom of the third row, once again, that's just your total population along with your target and the difference and then we were able to put together in the first 2 rows, you have the 5 districts with the population again, and this is using Census Bureau data where they divide it up based on different categories, so you have white, black, hisp is Hispanic, American Indian, Asian American, and then the last one is two or more races, so if somebody identifies themselves as two or more races. That won't necessarily mean it adds all the way up, if you add all the District 1, it does not necessarily add up totally to 115, honestly at this point I haven't been able to see all the data to look at how they come up with the two or more races whether that counts somewhere else. But that kind of gives you an estimate of what the population is. Then James was actually able to show you the difference in the 5 districts for the different categories, so you can see where some have dropped, and some have increased overall. When you look at it, the major growth area is people identifying themselves as Hispanic and the other major growth area is people that identify themselves as two or more races. The important numbers at least that I want to make sure you understand is the total population is the 606,000 number, your targets for each of the 5 districts no matter how you draw them is the 121,000 number and then James will be able to show you a little bit on the software – come on up. A couple of you already met with him. He's kind of showing how you can do the data, help you guys at least draw a little bit. Then we're here to answer any questions you have on the data.

James Shives: Bear with me guys while I get this set up. So like Jim said, we weren't able to download the census data directly from the Census website unfortunately it's not in our redistricting software at the moment but I was able to basically take the raw data and join it to the block areas and put them in a map viewer that way everybody can view the updated census data and we can send this link out to everybody after the meeting. One of the things I'll quickly go over, I used the existing districts to kind of use as a starting template so the nice thing is you can go on this link and click on this, and you can see the demographic data we got from the census per district and then if you really want to get into it, you can go down to the block group and use that to see the demographic data per area. A couple of the features I would like to highlight, we do have a search feature that allows you to search by address and then also allows you to search by geo id and by geo code for the block data. The next thing we can do, is if you have a particular neighborhood, since we do realize the differences between

each district, if you wanted to come in here, you could grab a particular neighborhood and use this statistical tool to give you the total population of that neighborhood. This will allow you guys in your own time, to be able to, if you had a neighborhood you were looking at that you wanted to bump from District 2 to District 4, this will allow you to get those numbers until roughly until early September when it will be in our redistricting software and we can do all this on the fly in the meetings. This gives you a chance to kind of review the data and get some hard numbers for you guys. Another thing I was able to do is create a layer of the cities and the general population for those as well – this would be Cocoa for example, and this will show the difference between the 2020 and the 2010 data. It's probably a little hard to see. (unintelligible) Yeah. The other thing I'd like to point out is I'm available any time, either by email or make an appointment to go over the data and play with this application at least until the Census data gets uploaded into our redistricting software. This is a stopgap measure at least have the data available for you. Do you guys have any questions?

Steve Crisafulli: So right now, James, you have the data, you just don't have the ability to overlay it into a map, is basically what it is?

James Shives: Yeah, this is just a view, the redistricting software is kind of what we went over in the last meeting. Unfortunately, ESRI, who is in charge of that software, just hasn't uploaded the 2020 data into that. We can edit the lines, review the data on this particular website, and then edit the lines, but in that software I would still unfortunately be using the 2010 data, but this at least gives us a way to if we wanted to grab a particular neighborhood, we can get a good idea, we can get the exact numbers and then I can draw the lines in there and unfortunately in that software I would still be using the 2010 data.

Steve Crisafulli: Sure, sure. And you anticipate they'll have that uploaded in the next couple weeks?

James Shives: What I was told today by the customer service for ESRI was early September. They didn't give me an exact date, I'm sorry.

Steve Crisafulli: Ok, they probably don't want to be held to that, I'm sure. If somebody went on to District Builder and started drawing maps, obviously you have to manipulate that to make it believe that Brevard County is the state of Florida and you're only drawing 5 districts, you can do it. Is the accuracy of that something that could be, not that the two systems would talk to each other, but could somebody use that information from the standpoint of precinct lines, city lines, whatever, to make it easier, so somebody could get a jump start if they so chose to?

James Shives: Yup, if you wanted to use District Builder as a way to extract a shape file which then you could email to me and we could either put it in this web option or the actual redistricting software that we're planning on using, like you said, it wouldn't talk to each other, but at least you would be able to view the boundaries even if we loaded it into this web application I would be able to within

a day or so give you the accurate numbers for those shapes. So if you went ahead, anybody could draw something and send me the shape file, and then I could do the demographic calculations for you guys.

Jim Liesenfelt: Mr. Chair, both James and I played with District Builder, he's a much wiser man than I cause he was able to do the actual districts, I couldn't quite do it, the demographic data is a little different than what we have here from the Census just a reminder, if you look at District Builder we're not exactly sure where all their data is coming from yet.

James Shives: We did receive an email today saying that they updated with the 2020 Census data so hopefully it's a little bit better but I'm not quite sure where they were getting their demographic numbers. One thing I will say it is functionally hard to use, even for a professional.

Steve Crisafulli: Of course, why make it easy. Well you have to manipulate it first to even get to that point. I messed around with it last week and you can get close within reason but it's definitely not something that has the accuracy that we're going to be dealing with here in the next couple weeks. I would invite you if you were at home looking for something to do (laughter) in your down time and you wanted to mess around with it, it can be done in a way that you can get a feel for kind of how the populations lay out. And just from my legislative days, and Mr. Workman will back me up here, compactness was always preached to us and clearly that's part of what we're working on here. It's pretty easy when you're working from either the north or the south to start drawing things in a very compact way just to see what it looks like. It is kind of hard to your point trying to find city lines and keeping communities of interest and all that together because you can't really get that data out of it because you're not an expert in that field. Hopefully our system will be able to get a little bit more granular on that side of things.

James Shives: Right, like I said, if you guys want something created or if you have some ideas, this is my number one priority, feel free to come in, we can play with the software, I can calculate the numbers based on the districts you draw or you have in mind and get that information back out to you in a reasonably timely fashion.

Robert Jordan: Mr. Chairman.

Steve Crisafulli: Yes sir.

Robert Jordan: I'm trying to understand just how easy this is going to be for us, and I know it's not. Should we not assume that we're going to try to be as contiguous as possible, we're not going to have for example District 1 stops at 528 and because we're less than District 3 and 4 we gotta get about 12,000 people so we're not going to go jump as an example, in the middle of District 4 and grab some people and say this is going to be a district. The boundary lines in my mind are just going to be moved, right, we're not going to just put something in a hole.

Steve Crisafulli: You and I can interpret that but somebody else might see it differently. But yes, I would publicly agree with you that yes. Because of the unique shape of our County, I think it's pretty clear to say you're going to have to just move it south and move one north and because of him we have to fix this over here and shrink it up. So, there's a lot of, I mean we saw where we are with regard to the numbers that were shown, we're going to have to shrink a couple and swell a couple for sure. But yes, to your point, it might get a little different down in the central part of the County because you have to decide which way you're going to move out with it. But obviously, using major roadways, using the rivers, using whatever you can as your boundaries are going to be some of those things that we have to talk about because that is statutorily defined as to how we use those but yes sir, I completely agree that yes, you're going to move down and grab some and shrink others and hopefully it all comes out to close to 121,000 when it's all said and done. Yes sir.

Robert Jordan: Ok, thank you sir.

Robin Fisher: Let everybody get a chance to have a little bit of Viera? (laughter) I was just wondering, James, right? James, have you played with this and tried to match these numbers yet?

James Shives: I downloaded those numbers directly from the Census data and me and Brittany actually created that spreadsheet and we created this application from the Census data directly.

Robin Fisher: But have you tried for example to play with the lines to 121?

James Shives: No, I haven't tried to rebalance out based on the 2020 data yet. That's something I could do if you guys would like.

Jim Liesenfelt: Based on you guys direction, we haven't done anything to balance out.

Steve Crisafulli: Mr. Fisher, I don't know if that's a recommendation you're making to James or something you'd like to talk to him about, but certainly that's what the charge of this committee is. You can sit here and just vote on something at the end, or you can come in here and physically get on the computer or we can talk to James and say James what about an overlay of where we are, shrink this, swell that, what does it do, and I think what you're asking for is kind of what Mr. Jordan was asking for as well, and that's using the basics of what we have, it is again, a unique county just from the standpoint of how it lays out, and there's only so many places you can go, and certainly not east. (laughter) And I think that's what the committee's charge is going to be. There will be some that may want to come down here and spend the afternoon on a computer and there may be some that just call in and say what do you think of this idea, where does it take us.

Steve Crisafulli: Ms. Schmitt

Sue Schmitt: I think it would be a really good idea for him anyway if when they do get those numbers in, if maybe he drew just looking at how many numbers where you can bring the line down to be consistent, and not breaking a city up at 2 or 3 places, use the natural boundaries but perhaps come back with maybe 2 or 3 options that this committee could look at and then it might be easier for everybody to just say well, I like that, I like option 2 but I think maybe what would it be like if we could move that line just 5 streets over or whatever the case may be.

Steve Crisafulli: Sure, and I'll go to our legal counsel and staff on this but I'm assuming that would have to be a direction that is directly given from this committee, from the standpoint of take this line down to 528, take this one over to US 1, I don't think James, because you're not a member of the committee, no offense (laughter) I don't think that he can just do it at his own direction. It would be nice for you or Mr. Fisher or Mr. Jordan, whoever on the committee, would like to call James and come up with some of those ideas, that's what we're charged to do and I think to your point that's what we're going to have to do just because that's the way this County lays out. Yes, that's what his full-time job is going to be until we hand this off to the Commissioners in maybe mid-October. Any further questions or comments.

Kendall Moore: So, based on what you just said.

Steve Crisafulli: You're thinking Mr. Moore, you're thinking.

Kendall Moore: I slightly disagree Mr. Chairman in the sense that I see the look of consternation on Mr. Liesenfelt's face. I think in fairness to staff, they've got to be given some direction. The individuals sitting on that side of the room work for the 5 people most impacted by this process and that's why it's built this way, that individuals like us would at least say use these parameters and bring us back something. Certainly, they can go back and bring back something, but whatever that might be may not be what this committee wants and certainly subjects them to a very compromising position. I don't want to speak for the staff, but that's always been my staff related position.

Steve Crisafulli: Yes, it absolutely has to be at the direction of this committee. Whatever they do has to be at the direction of this committee. Yes sir, please speak into the microphone.

John Weiler: Is it on? Now I'm live, there we go. After everyone has had an opportunity to work with Jim and get their idea of where they want to go, is it possible we meet again that he can make those changes in real time for us here as a group so we put one up there, and we sorta like that but can you move this over a little bit, is that possible to be done in real time?

James Shives: Yes, once the redistricting software that we're planning on using gets populated.

John Weiler: Ok, thank you.

Steve Crisafulli: I just think you're going to have a foundation that you can work from. But if you're talking about making sure a precinct isn't split or a city isn't split and that wasn't caught the first time then yes, absolutely otherwise it could take hours on end to do something like that. Yes, I think if there's a foundation to work from that's a very reasonable way.

John Weiler: Sure, yes.

Steve Crisafulli: Yes ma'am.

Sue Schmitt: Something else that I do absolutely think we should make him aware of. We have 5 commissioners and unless any of them are planning on moving. I don't think they should be redistricted out of their homes. (laughter) Now some people may want to do that.

Steve Crisafulli: That's not a factor in this process. I don't know where they live and we're better off not knowing where they live. That is not part of this process. It absolutely does not have any bearing on this process. It shall not have any bearing on this process.

John Weiler: They can always buy another house.

Robert Jordan: Mr. Chairman, should we just as a group suggest or ask James just to come down with a total number on each one of the districts just for the basis and bring that back to us. Can we do that?

Steve Crisafulli: We have that. We already have that information. You got that actually in your email this afternoon. Are you meaning the numbers of like what currently are in each seat?

Robert Jordan: We know what we have to date right, we've got to basically put 12,000 in each area right.

Kendall Moore: Well 121 total.

Jim Liesenfelt: That would be an average of 12,000.

Robert Jordan: Well that's what I'm saying, so if we got an average why can't he just draw the line where there would be 12,000 for each one of them and then bring that back to us and then we can start talking.

Steve Crisafulli: I'll go to our legal team on that, I think that goes back to we're the committee and we have to be the ones to direct.

Robert Jordan: Well that's what I'm saying.

Steve Crisafulli: I mean Abby, can you give us a discretion on what definitely means versus us just saying bring us a map back. How granular do we have to be on it or how loose can we be on defining what we would like brought back to us.

Abigail Jorandby: The way I'm thinking and Jim you can jump in is I'm thinking it would be great between now and the time we get the Census data into our

software, if the members who would like to meet with James, get an idea of what they're looking for, but we're always looking to have that direction from the committee when we come back to the next meeting ideally we'll be able to do live, in real time, adjust so the committee members are directing us how to draw those lines and how to balance out that population and we're not actually bringing something back to the committee that we've generated, it's not really staff's direction it really should be this committee deciding how we do that and we can do that. Ideally between now and our next meeting you can meet with James if you want to get very familiar with the software and work with him and when we come the next meeting we can hopefully hit the ground running and do it real time and show you exactly how your call is changing the boundaries of each district.

Steve Crisafulli: Mr. Jordan, with that being said, I would ask if you could call him or email him or even come sit with him and say I'd like to see a map that looks like this. Then obviously if we come back here and we need to tweak it to more meet the criteria that you were looking for that can be done here but him coming back with the basis of a map would be kind of a win win, that way we can see what your intentions were but then also tweak some things if we need to keep a precinct together or keep a city together or whatever it is. But certainly, I think as a committee member that's what our charge is.

Robert Jordan: Ok

Steve Crisafulli: More comments from staff?

Jim Liesenfelt: Not that I have the experience playing with District Builder yet. What I envisioned you guys telling us in the meeting is draw the line here and then the real time would be we're going to have to move a block here a block two so we don't break up the precincts and all that so what I envisioned you guys give us the direction in the meeting then we draw the hard line and then you're going to be spending some time making it go up and down to make sure you hit all the precincts and block groups, that sort of thing. So that's why it's difficult, you want to give us direction that way.

Steve Crisafulli: Yes, Mr. Minneboo.

Henry Minneboo: Mr. Chairman, are we a little concerned that we'll have so many renditions, we'll have a bunch of renditions on specific districts.

Steve Crisafulli: We could very well have one from each of us.

Henry Minneboo: With 15 of us here it might be a little confusing.

Steve Crisafulli: It's part of the process and I think we can go through the process of elimination. And again, because of the uniqueness of this County, they're not gonna vary a whole lot. I think what we'll find is, even in the process in Tallahassee, when Mr. Workman and I did this in Tallahassee, there's only so many ways you can start. If you starting in one corner and working your way down to the bottom, then you start tweaking things little by little. I think that will

be the process for this committee, is to whittle it down to a map that we can all work from. To your point, maybe not everybody has the time to come sit down and do a map but certainly they want to be involved in the minutia of what the final product is so maybe we only have 5 or 6 maps to work off of. The process of this committee is to be as involved as you can be. If that means coming down and sitting here and drawing your own map or if it means what Mr. Jordan was talking about or just giving some direction and working from there, that's the purview of the committee and that's the charge that has been put before us.

Henry Minneboo: In line with that Mr. Chairman, we've always had a unique situation in line with what (unintelligible) said District 1 may continue to go south. You're sharp today.

Steve Crisafulli: You mean literally. (laughter)

Henry Minneboo: They may wind up taking all of Viera. It may be time the dividing lines here have always been these rivers and canals, and it may be time like in our case, we have 1 and 2, it may be time for District 1 to slide over and look at Merritt Island.

Steve Crisafulli: And that's an option that could be put forward. But keeping in mind that we do have a statutory obligation of compactness and using major geographic areas and roadways as our initial boundaries. The way it was in Tallahassee was you jumped those when there was a necessity. But certainly, that's your prerogative as somebody that can draw a map and just as well as anybody else in the south part of the County if we need to jump to make our numbers work out but communities of interest are things that we keep in mind as well. I think Abby laid that out well in her earlier presentation.

Henry Minneboo: I'm glad to see that Tallahassee causes confusion.

Steve Crisafulli: The legislative side is far different and is under constitution versus statute. The people made the decisions. Yes sir.

Josiah Gattle: Mr. Chairman, can I direct a question to staff about scheduling? I know we emailed back and forth a little bit about scheduling that we needed to be completed I believe you mentioned in our first or second meeting, on Oct 31st as a good guideline. Have we checked with the mapping companies to make sure that they're not anticipating a backlog that we would be able to complete our constitutional process?

Jim Liesenfelt: I'm jumping in James, correct me if I'm wrong. I'm under the assumption that once ESRI downloads it we're good to go. We don't have to rely on the mapping company because it would be on our server, I'm sure it's the cloud, but basically our server, so once the data gets downloaded, that shouldn't delay any of the decisions we have to make.

Josiah Gattle: I know you mentioned that the County Commission has certain processes that they have to complete and they should have enough time if we

allow them from that October 31st deadline until the end of the year to complete those?

Jim Liesenfelt: The last step the Board of County Commissioners has to do is publish and adopt the legal description of the boundaries. That's the very last step, they have to do that by the end of the year. Before that step they have to accept or reject your recommendation. Let's hope they accept it cause that will make it a little bit shorter. You're looking at a couple meetings or two. But you're still looking right around the end of October. If we would present to the Board of County Commissioners meeting on Nov 9th, we'd have to have that to them by November 2nd. If they reject that, that would still give us almost a month to come back with a different plan it will push it pretty tight for them to adopt the legal boundaries – the latest the board can say yes or no would be the December 7th and then on the 21st of December they would do the legal boundaries. Honestly, I hadn't remembered, I'll have to apologize to her. We also need to, once you're finished with the redistricting, we need to submit it to the Supervisor of Elections too so that way her office can come back to the board and say here's the impact to the precincts, do we have to create new precincts, cause there will be a fiscal impact based on that so we have to make sure the board has that information too. But you are still looking end of October-ish for you guys to make a final recommendation to the board.

Josiah Gattle: And then, a legal question on variance, the total allowable variance is 3%?

Abigail Jorandby: That's the recommended variance, yes. You don't want to go above that.

Josiah Gattle: So that would be roughly 1800 voters on either side, above or below the 121,322, that would be roughly 1800 voters that would be allowed to vary if there was a census block.

Abigail Jorandby: Yes.

Steve Crisafulli: Any further questions? And we are going to get into the timing of that, I'm glad you brought it up, we were going to talk about that. So basically, right now we've got our next meeting, with the schedule that was originally set, is set for September 14th, it's basically two and a half, three weeks almost, to get this information uploaded and then give everybody a chance to start tinkering with these things and I would ask that once that information is uploaded, that Jim obviously if you all would send out an email to let everybody know the status of that. It doesn't bar you from being able to go down now and start working on some lines that could be easily moved. Because you're going to be within a few thousand either way that can be tweaked once we have everything in place and we can work off of the final product. So, over the next two and a half, three weeks, I would encourage you to, if time is allowable on your schedules, to engage with James on being able to do that and be involved in the process to whatever extent that you would like to be involved. Any other questions before we go to public comment?

James Shives: Thanks.

Steve Crisafulli: James, we're good, thank you.

G. Public Comment

Steve Crisafulli: Alright, we do have some public comment tonight, Ok, Joan Terry?

Joanne Terry: That's actually Joanne Terry.

Steve Crisafulli: Oh Joanne, thank you. Well I'm 50 years old, I can't read very good. (laughter)

Joanne Terry: That's ok. Anyway, thank you. My name is Joanne Terry. I live in South Patrick Shores. So before actually beginning to move the district lines, I was wondering if it would be worthwhile to look at some of the issues with the current districts that you may want to consider specifically. For example, the County Charter currently says that the districts should preserve the municipalities and geographically cohesive racial and ethnic minority communities from fragmentation as much as possible, but I think Melbourne and Rockledge are currently split between 3 districts and Cocoa and Palm Bay are split between 2 districts. And so, it might be good to kind of look at that and think well does that still make sense? Another one is the barrier island where I live, it's split between 4 maybe even all 5 districts, and I'm wondering if maybe a fewer district split might give barrier island residents a little more focused attention on some of the issues with infrastructure and the environmental issues that the barrier island faces. Another thought might be all the housing that's going on out here and maybe looking at splitting districts between some of that so that the growth might be a little bit more equal, and then also maybe asking the commissioners, I don't know if you've already asked the commissioners for any kind of lessons learned based on their experience if they have any specific challenges or recommendations. I guess my bottom line point was I think there might be a little bit of work that you can do before you actually get the data to kind of look to see if there's anything specifically that needs to be addressed based on the last 10 years. Thank you.

Steve Crisafulli: Thank you, thank you for your comments. Sandra Sullivan.

Sandra Sullivan: Sandra Sullivan also from South Patrick Shores. Just a little bit of a fun thing, I brought a 1973 district map, it's at the back of the room if anyone just out of curiosity would like to see the effect of time here in Brevard. That's all.

Steve Crisafulli: Thank you. And Commissioner Lober.

Bryan A. Lober: How are you this evening Mr. Chair. Alright, I'll leave this up since it seems that I speak loud enough to get through it anyway. So just a

couple things, I don't want to reiterate much of what was said in the past but I know it's been some time since this group got together for the last time. What I'm going to do and if you don't want it, let me know and I won't include you on the email and please don't click reply all. I don't want you all to get in trouble with respect to sunshine. There's an incredibly good, incredibly informative seminar that the Florida League of Cities put on that's available electronically on redistricting even in this evening's meeting a couple of the suggestions I've heard don't really comport with what they give as far as best practice advice now whether there are legal requirements that are associated with that I've not done the research to be able to tell you one way or the other. I essentially forced those folks that were my direct appointees to watch it, basically as a condition of being appointed. I really think having sat through it myself that it's something that would do absolutely everyone some good even as an attorney I can tell you I learned quite a bit in terms of the redistricting process. It's not to take away from anything that Abby has said or her capabilities. I have no question that she's more than capable, but this is something that was put together by a very large group for the very specific limited purpose of informing folks that are participating in redistricting. So, I'll go ahead, I'll send that out. There's a handout that goes along with the seminar, a pdf handout. If you don't have time to watch the seminar and it's not horribly long, please at least look at the handout. I really think that it will help everyone. It helped me, it helped the folks that I know from my direct appointments but beyond that I just want to reiterate the offer that I made the prior time that I spoke Public Comment in front of redistricting. I don't care if I've appointed you or if someone else appointed you, if you need something to help you do your job, you are more than welcome to reach out to me. We're all in this together. This is one of those committees, one of those boards that really just doesn't lend itself toward fiefdoms. To the degree that my office or I can do anything in the way of making resources available, by all means, I'm not saying don't go to staff, you're welcome to do that, but if you want to go to me instead or if you're not happy with what they tell you, and you want to see if you have better luck with me, give it a shot. I'm certainly happy to do what I can to help you all. Thank you.

Steve Crisafulli: Thank you Commissioner. Alright members, any other business before the committee? Jim.

Jim Liesenfelt: So, you're all good with September 14th 5:30?

Steve Crisafulli: That is our date as of now if something changes certainly we'll let the committee know. If some miracle happens and this information gets put in sooner and we're able to go further in the mapping process, certainly that's something that could take place but if not, September 14th is the date and I would encourage you, again if time allows in your personal schedules, to engage with James on, you know, working on the mapping side of things certainly encourage you to do that. So, with that, yes.

Alberta Wilson: I had the opportunity to come down and work with James, I told James' boss, and he was so patient. I look forward to coming back again now that he has

something to work with. Let me tell you, he's easy, he made it simple, at least it helped me, I've gotta see, I'm a visual person and so thank you James.

Steve Crisafulli: Thank you James, we'll be thanking you a lot, I'm sure of that. (laughter) alright, and with that. Yes.

Yvonne Minus: Mr. Chair, if I may, I see where Sep 14th that is the second Tuesday. If we can take under consideration, the second and fourth Tuesday is a Melbourne city council meeting. One person doesn't stop the show but I definitely would like to be here so if we could consider changing the date from the second and fourth Tuesday. This time that is a good time because we changed the date to the 15th. We're having another meeting so it works out this time, so please consider.

Steve Crisafulli: So right now, the 14th does work but other than that, the second and fourth Tuesdays are city council.

Yvonne Minus: Yes, for consideration. Thank you.

Steve Crisafulli: We will definitely keep that in mind moving forward. Thank you. Any other comments? Seeing none, thank you all for taking your time out to be here tonight. And with that, the meeting is adjourned.

H. Adjournment

- a. Adjourned by Steve Crisafulli at 6:32pm
- b. Next meeting – Tuesday, September 14, 2021, 5:30 p.m.