

REDISTRICTING COMMITTEE MEETING

Monday, October 18, 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: Okay members. We are officially at 5:30 so we are going to officially call the Redistricting Committee for October 18, 2021, to order. At this time, I ask Teresa to do roll call.

B. Roll Call – Teresa Rivera:

- a. District 1 – Robin Fisher, Robert Jordan
- b. District 2 – Josiah Gattle, Susan Hodgers, John Weiler
- c. District 3 – James Minus (via phone), Yvonne Minus (via phone), Alberta Wilson
- d. District 4 – Henry Minneboo, Todd Pokrywa, Sue Schmitt
- e. District 5 – Steve Crisafulli, Jason Steele (via phone)
- f. Absent – Kendall Moore, David Ritch Workman
- g. Staff – Jim Liesenfelt, Abigail Jorandby, James Shives, Teresa Rivera

Teresa Rivera: Let the record show we do have a quorum with James Minus, Yvonne Minus and Jason Steele participating via telephone and with Kendall Moore and David Workman absent tonight.

Steve Crisafulli: Alright members. Can I get a motion to approve the Minutes from September 27 and October 4?

C. Approval of Minutes, September 27, 2021 and October 4, 2021

- a. Motion made by Robin Fisher
- b. Second by Todd Pokrywa
- c. All approved, motion passed

Steve Crisafulli: Show those minutes are approved, Mr. Weiler?

John Weiler: I'd like to make a motion Mr. Chairman.

Steve Crisafulli: Yes sir.

John Weiler: I move our discussion on the two final mapping proposals that were presented and having been emailed to us this week and those described the same way in our minutes.

Susan Hodggers: Second.

Steve Crisafulli: Well in the last meeting, the motion in the last meeting was those were the two maps we were moving forward. So that is all on the table tonight. There is nothing else to be discussed. That was the motion of the last meeting was to move those two maps forward with one map being referred to as the Weiler map, the other map being referred to as a hybrid, which was the Fisher map with the two pieces as the only changes to that.

John Weiler: If you rule that we don't need a motion, I will except that.

Steve Crisafulli: From a legal standpoint, Abby?

Abigail Jorandby: At the end of the last meeting, the motion was to move forward the two maps we have before you right now. That was all that was brought forward for the committee to consider tonight.

Steve Crisafulli: So, those are the two maps that are on the table.

Todd Pokrywa: Mr. Chairman.

Yvonne Minus: Mr. Chair?

Steve Crisafulli: Yes, ma'am?

Yvonne Minus: Can I ask them to speak up, please? To hear what the discussion was.

Steve Crisafulli: Can you hear me clearly?

Yvonne Minus: Yes sir, I can hear you very clearly.

Steve Crisafulli: The discussion was about, there was a motion made to just discuss the two maps that were in the minutes from the last meeting and in fact those are the only two maps on the table tonight which is the Weiler plan as was discussed as well as the Fisher plan, which is the hybrid Fisher plan, which has Weiler PCA 6 and PCA 7 that you actually were the second on the motion of the in the last meeting to move those two forward. The record is clear the only two maps that are being discussed tonight are those two maps. Mr. Pokrywa?

Todd Pokrywa: Thank you Mr. Chairman. I would like to ask is if Mr. Weiler could amend that motion and we are considering those two maps tonight without modification. This committee has diligently worked through over a dozen proposals and we have narrowed it down to these two options. And I think the motion is appropriate if it is a motion we are considering those two options without any modifications.

Susan Hodggers: I'll second that motion.

Steve Crisafulli: Any discussion?

Robert Jordan: I need to understand what you just said. [laughter]

Steve Crisafulli: Mr. Jordan, it's these two options, one or the other as they sit today.

Robert Jordan: That's what I thought you were saying. And I guess the challenge I have is the fact that if there comes through our discussion that we need to do some tweaking, we should be able to do the tweaking. I think what your motion is it's going to be black and white. We either do the hybrid or we do Mr. Weiler and that's it, is that correct?

Todd Pokrywa: Mr. Chair, I would suggest if they do end up in modification that we not move forward tonight. Because we have the same discussion at the last meeting and any modifications need to be properly vetted. So, these two options have been out there for the public to understand and I think it is very unfair to the committee, to the process, to the public if we start modifying these two options, which we said in the last meeting we were bringing these two back and we were going to make a decision.

Steve Crisafulli: And that was my understanding for the reason to bring them back and not vote on them that night was because we had made a hybrid map out of one of those maps and we felt like we needed time to digest that. If the committee is looking to make more changes, we have a long way to go. I feel like that road is in the rearview mirror unless I misread this committee at the last meeting. Mr. Gattle.

Josiah Gattle: Mr. Chairman, I respectfully think it is a little premature to say without modification. I think there is one particular point that I know I received probably 70+ emails on. Particularly with PCA 8 that we have potentially stranded approximately 30 homes on the end of Tortoise Island that possibly we could carve out to make sure they are in District 2, along with the rest of their Homeowners Association. That would be the only modification I would propose at this point in time, which is a minor modification to put on the table.

Steve Crisafulli: We are not going to make any proposals right now. We have a discussion on the table of a first and a second of what we have before us with regard to a motion as to whether we are going to amend or not amend. But certainly, to your point, if you have an intention to potentially change a map I would recommend you vote against.

Josiah Gattle: I have a very limited, at least for the purposes of discussion, intention to propose that about 30 homes at the end of Tortoise Island be potentially added to District 2 to make a cleaner line for those individuals so they don't have to drive an unreasonable amount of distance to a precinct voting location.

Susan Hodgers: Mr. Chair, in addition to what Mr. Pokrywa said, we had plenty of time to reach out to staff and County Attorney Abby and Jim. I know I have. With lots of questions. I think would be fun unfair to the committee as well as the staff the amount of time. We didn't hear a lot of discussions last meeting when a lot of people showed up every this was publicly noticed on the Brevard County Commission website and I think it would be a disaster. I'm not sure what our County Charter said, that would be a question for Abby, of what timeframe we would have if we did not vote on a final map today and to go back and restart the whole process again.

Steve Crisafulli: We have to vote on a map tonight. We are on a deadline to where this needs to go to the Supervisor of Elections and then it has to be on the November 9th Agenda for the County Commission. That is the timeline we are on as we sit here tonight. So, we do need to vote on a map tonight.

Robin Fisher: Mr. Chair.

Steve Crisafulli: Mr. Fisher?

Robin Fisher: I don't know if we really need a motion. I think everybody understands why we came back today. I think we might be better off having public input and hearing if there is something that is there that maybe we haven't heard already. I think a lot of emails we have all gotten, we understood with the public position is. I think we know we have to make a decision tonight. I don't know if we need a motion to hear what the public has to say and then make a decision.

John Weiler: Okay. I would draw the motion based on.

Steve Crisafulli: So, the motion has been withdrawn?

John Weiler: Yes.

Steve Crisafulli: Okay. Motion withdrawn. Ms. Schmitt.

Sue Schmitt: I would agree with that. I think we need to go ahead and make a decision on one of the two this evening, but also you mentioned Tortoise Island, and having been the former County Commissioner for District 4, I can tell you it was always considered part of that area which they talk about when they talk about spa. And it was always the District 4 Commissioner's responsibility to look at that. And that's the way it was. And as far as I'm concerned, that has not changed.

Steve Crisafulli: We will get into more discussion on the maps when that time comes. With that, whether any comments from those calling in? Before we go to public comment?

Jason Steele: The only comment I have, Mr. Chairman, is I want to make sure the Fisher's ones, each and everything in District 4 out of Pineda Causeway.

D. Public Comment

Steve Crisafulli: Okay Mr. Steele. We will get to that when we actually get into the discussion on the maps that are going to be before us. Until then we are going to go to Public Comment. Because of the number of folks we have here for Public Comment, Public Comment will be limited to one minute. And keeping in mind we are only discussing the two maps that are before this committee tonight. And so, if you are here to talk about the Springs at Suntree making sure it stays in District 4, know that it is in District 4 on both maps. And so, nothing changes from that standpoint.

Robert Jordan: You need to mute them.

Steve Crisafulli: For those only call in lines, if you would mute your line unless you are talking because we are getting a little bit of feedback. And the only reason I mention that to those who are going to talk is because that has been something we have gotten a lot of emails on. I don't know that you need to speak to something that is not even being discussed before this committee. So, with that we will bring up our first person and that is Courtney Barker. From Satellite Beach. You are recognized.

Courtney Barker: Courtney Barker, City Manager for the City of Satellite Beach, and I won't be here for long but wanted to let you know we are supporting the Fisher plan. We really hope that you support that. We really want to stay together with South Patrick Shores and Indian Harbour Beach. That has always been the way we have been, we are a very cohesive area and we would like to stay together. Thank you for your time.

Steve Crisafulli: Mindy Gibson, Satellite Beach.

Mindy Gibson: Waived commenting.

Steve Crisafulli: Okay. Thank you, Mindy. Mike Figuero from Satellite Beach?

Mike Figuero: Mike Figuero, I am the President of the Tortoise Island Homeowners Association for the community of 343 homes on the Banana River. I'm sure you know where we are. I am speaking unanimously for our community we are in support of the Fisher plan. We do not want to be separated in half. You will cut our community and have. We have one voice right now and we would like to remain to have one voice. We have worked with Curt Smith on a number of different plans. We would like to continue that relationship with one Commissioner. We

have a single voice and I would like us to stay one single community. I don't want it to be disenfranchised. Thank you.

Steve Crisafulli: Forgive me if I butcher any names. Michael Yauch?

Michael Yauch: I'm going to waive speaking.

Steve Crisafulli: Okay, Ms. Brenda Fettrow from Rockledge?

Brenda Fettrow: Good evening everyone. Good to see you all, I am here in support of the Fisher plan. The only problem I have with Mr. Weiler is it appears if I'm looking at the correct iteration of the map to pull out Timbers West and so that would be the only objection to the plan. But I do stand in support of Mr. Fisher's plan. Thank you all.

Steve Crisafulli: Thank you, Mr. Jeffrey Coutu?

Jeffery Coutu: Good evening, my name is Jeffrey Coutu I'm a homeowner at the Springs of Suntree and I know you mentioned we are not part of the redistricting right now. There were rumors we may be and that is why I came to this meeting tonight. When the shortness of because I have a minute. My community has much more in common with Viera, I wanted to make the point. Things we affected if something is changed in your plan would be school Districts, stormwater taxes where the funds would go directed as well as where I would go and what I would be voting on. I believe any change would remove us from having a say in the community that I am currently living in and give me a vote in the community I have no connection to, state and local requirements prove six significant shared interest should be kept together. I believe that my community being tightly linked with Suntree and Viera meet this requirement.

Steve Crisafulli: Thank you. Miss Angie Hernandez?

Angie Hernandez: Thank you for giving me time. I'm the Community Manager for the Springs of Suntree and on September 27 and at the meeting on October 4, Springs of Suntree was mentioned three times, which these people listen and it triggered their ears and it alarmed them. And that's why they are here tonight. Springs at Suntree isn't part of the Suntree PUD, but it is always been a part of interfacing our drainage works together, our communities were built at the same time together with the same engineering design. And so, although they are not part of the PUD, they are sister together and work in the same function. So, had you made that amendment where there were going to be no modifications, they would've all said no. But because there is still risk of modifications I think they are still going to be scared until you absolutely state, it is not a possibility that Capron Ridge or Springs of Suntree is in any jeopardy of being moved out of District 4. Thank you.

Steve Crisafulli: Thank you. Peter Sacco?

Peter Sacco: Waive it.

Steve Crisafulli: Okay, Anita Unrath?

Anita Unrath: Good evening. My name is Anita Unrath, I live in the Springs of Suntree, 1170 Ida Way. Thank you for your work on this committee, you have a difficult task so I want to look at each one you and say thank you very much for serving Brevard County. Thank you to Ms. Hemmerling, Mr. Jordan and Mr. Weiler for answering my email. Thank you to Mr. Weiler for saying the Springs of Suntree isn't on the proposed map. And we hope it isn't. I appreciate the fact that you are allowing us to speak tonight. I heard that my neighborhood, as Angie just said, was proposed in several other meetings so I wanted to be an individual that comes to you and speaks to you tonight to say please don't do that. I went to the D4 office last week and talked with Adrian. She showed me maps and she also looked up the voting precincts. When she pulled up precinct 406 she said you vote with the Suntree people. And that's right. They vote with us at our clubhouse. So please, we are a part of the Suntree community, our bank, our church, our doctors, we are retired military, we chose this area and we have worked with Commissioner Smith very closely in several things we think we would be lost and forgotten if we became part of District 2 with all the big cities and beachside. Thank you very much.

Steve Crisafulli: Thank you for your comments. Mr. Tom Unrath.

Tom Unrath: Thank you very much. I will reiterate all that you heard from my wife Anita just a moment ago. I thank you. I also want to say that one of the things we have appreciated living where we do is the opportunity to work with Commissioner Smith here in District 4. He has been very supportive. I know that he will be changing. I know that we will be getting a new Commissioner. I would hope the new Commissioner would work equally with us the real the thing that concerns me is if the Springs of Suntree were to move out of District 4 and into District 2, we would be way out on the fringe far away from the heart of District 2 where we are in the heart of District 4. And that is why I would like us to stay. Besides all the other reasons you just heard, I think it makes a lot of sense to me. I hope it makes sense to you as well. Thank you very much.

Steve Crisafulli: Thank you, sir. Mr. John Trodden?

John Trodden: Good afternoon everyone, my name is John Trodden, I'm part of the San Marino Estates community in close proximity with Springs of Suntree and just on the north side of Suntree Master Homeowners Association. We too, as Angie said a moment ago, we are concerned

there may be some changes to the maps that could take us and put us from 4 to 2 and would like to throw my support in staying in District 4 comments staying with Suntree, with our sister organizations around us so that we have that grouping of smaller HOAs that can lean on each other and work to and with the partnership for larger ones. Thank you for your time.

Steve Crisafulli: Thank you sir. Mike? Tell me I was close.

Mike Zinganelli: You are close to "regan".

Steve Crisafulli: It ended in a vowel.

Mike Zinganelli: My handwriting is terrible. Most people call me Coach Z, I know Coach Fisher, I know Sue, I know everybody here mostly. Josiah. Basically, I was dragged here to support Suntree Springs Road on the Capron Ridge guy with the general. And we just are happy that I trust you. You said there's no way there's going to be a change. [laughter] Stop my time, stop my time, Coach Fisher can I have my time? I know John too. I thought Mr. Weiler was going to tell us to hit the road, I know John, but I appreciate you guys letting me speak. The reason we are so concerned is someone from this group here made a leak. Made a leak that there was a possible change and that is what all the uproar. In the Mickey Mouse show, when the Tiger City show. Someone from this group made a leak that there is a possible change reviewer the Chairman, you swear? I don't know Mr. Fisher.

Steve Crisafulli: We are going to have to wrap up the comments, but I promise you that I didn't make the leak. Shame on whoever did. Good. Because they misled whoever it was.

Mike Zinganelli: What can I say one more thing?

Steve Crisafulli: Yes, sir.

Mike Zinganelli: Please. Thank you. I used to put board in the boardwalk in Atlantic City. This is a true story. You have been there, I know I always call him Mr. Steele. When Mike Tyson was fighting, this is Mr. Fisher and Mr. Jordan Griffin, Mike Tyson would run on the boardwalk it was cleaning the beach from my Dad but he was the Mayor of Atlantic City by the way so I know how politicians work. As it might, can you give me what is this thing can you give me some good advice on what to do in life. He said, and I'll never forget this. Every time you have a plan you get punched in the face. Right Mr. Jordan? I can tell you know it. I'm done. Thank you. [laughter]

Steve Crisafulli: A good place to leave it. Miss Cheryl Hanssen from Melbourne?

Cheryl Hanssen: I'm here to support Suntree so therefore I will waive.

Steve Crisafulli: Thank you. Diana?

Diane Dobbs: I'm also here supporting Springs at Suntree and in favor with everything that has been said tonight. I appreciate your time.

Steve Crisafulli: Thank you. Abby's worst nightmare. [laughter] That was just a simple wave and support of the Springs area of Suntree. John Martin of Melbourne?

John Martin: I'm also from the Springs at Suntree and I'm going to waive my speech time.

Steve Crisafulli: Okay. Thank you, sir. Rick Mariani?

Rick Mariani: Good evening, my name is Rick Mariani, Vice President of the South Patrick Shores Residents Association This SPRA board unanimously supports the Fisher plan. Moreover, the first sentence of mission statements 2.2 redistricting states the Board of County Commissioners shall cause the county to be divided into County Commission Districts of continuous territory. But Patrick Air Force Base is a significant geographic and political barrier between South Patrick Shores and D2. A variant of the Weiler Plan suggests keeping the entirety of Tortoise Island within D4. While redistricting, all the rest of South Patrick Shores into D2 through this would negatively impact our community by cutting off part of South Patrick Shores itself and segmenting us in the two different Commission Districts. This plan does not appear to follow the redistricting guidelines to keep communities together, follow major roads and landmarks and respect community cohesiveness. Our residents overwhelmingly express a desire to keep our local community intact, logic and common sense that your guideline support this. SPRA urges you to recommend the Fisher plan that is most good with the least harm but if you do elect to support the Weiler plan, please modify it to leave South Patrick Shores in D4. Thank you for your time.

Steve Crisafulli: Thank you, sir. Tom Thomas?

Tom Thomas: Good Evening, I'm the Capron Ridge HOA President, I have the honor of having Mike in my development so things are always very exciting, just to let you know that. Basically, reiterating the same points. From a Capron Ridge standpoint, I spent the weekend working with Viera, IRCC, they are our neighbors. We have a continuous wall between. We share plots of land. It is also part of the interest in our community. Their the same people we go to church with, we go to the grocery store with their really part of our extended family. So, we would like to see Capron Ridge stay in District 4, we appreciate these plans. Thank you very much.

Steve Crisafulli: Thank you, sir. Richard Seebron.

Richard Seebron: Was just going to echo the same thing. From Capron Ridge, the majority of our interests are with the distributor.

Steve Crisafulli: Could you speak up, sir?

Richard Seebron: We just want to remain with District 4. Most everyone has echoed everything I'm going to say so I do not want to take up any more of your time.

Steve Crisafulli: Thank you. Justin Damon.

Justin Damon: I also just wanted to echo the same comments about Springs at Suntime, actually just recently moved back to the area after going FIT for many years so I was excited to be in the area so it is exciting to participate in something like this so quickly. I just wanted to reiterate something I learned when this all came up that we are actually physically tied through infrastructure for our flood mitigation system. And so, we are not just, the community we are also physically tied to that area as well through District 4. I appreciate the time allowing us to speak and Thank you.

Steve Crisafulli: Thank you. Brian Gill?

Brian Gill: I'm here for the Springs so I waive.

Steve Crisafulli: Okay. Oh boy.

Todd Pokrywa: You can do it.

Steve Crisafulli: Lawrence? Lawrence, I want you to pronounce your last name.

Lawrence Teitschbaum: It's Teitlebaum, as Treasurer of the Tuoson HOA, I would like to bring to the Commission's attention the cohesiveness of community, the plan is that with the low plan would be ripped apart. We have about 50 homes on our small portion, including Satellite Beach, and therefore as a result of anything but the Fisher plan you will be dividing a community, which is not what should be done. Our community has sent a number of emails into you folks and you probably received them saying let us be part of the community remain in D4. And Josh, as you suggested, the mere fact we are dividing a community here makes no sense to us. We have worked for a long period of time with Commissioner Smith as well as Commissioner Bolin on three very significant elements to our community and having one voice has helped us achieve elements with the respect to those matters. So, I again wanted to thank you for allowing us to speak here and would also like to suggest the Fisher plan would be the plan we endorse from the HOA board.

Steve Crisafulli: Thank you. Kevin?

Kevin Beber: Hello there, I also represent the San Marino Estates off Pinehurst. Per Florida law, Article 3 Section 20 and 21, the tier 1 and tier 2 standards moving San Marino Estates would not achieve any of those as was mentioned by another person. Our infrastructure is all tied to District 4 so we definitely need to stay in District 4. Thank you.

Steve Crisafulli: Thank you, sir. Jack Ratterman?

Jack Ratterman: I'd like to thank all the County employees who come to these meetings all this time and everyone on the board that has done due diligence to come and work very hard over the weeks to get this done and let you know that North Merritt Island supports either of these maps, especially Mr. Weiler's map. We thank you for your time and effort so far.

Steve Crisafulli: Thank you, sir. Is it Tanja Tee?

Tanja Tee: I'm waiving.

Steve Crisafulli: Thank you. Travis Thomas.

Travis Thomas: Good evening, I'm also from the Springs of Suntime, so I just wanted to reiterate. We drive the same local roads, share the same services, can't read now. And utilize many of the same private businesses. Thank you for the maps as they're drawn, thank you for your work and it makes sense to me to remain part of our same voting District. Thank you.

Steve Crisafulli: Thank you, sir. Mary Hillberg?

Mary Hillberg: Hello I'd like to thank you all very much for your hard work I think you have done a wonderful job. I think both these maps are good. I like the Fisher one better because it is less disruptive, but either one would be appropriate. Thank you very much for your difficult job and doing such a good job.

Steve Crisafulli: Thank you. Sandra Sullivan.

Sandra Sullivan: Thank you for all the effort that you have put into this process. It is not an easy decision. You've been given the task to balance the population. I request the Weiler, as it's within the desired 3% variance, the problem with the Fisher 8.87 variance, it doesn't balance with even population and with further growth will be further exasperated. As with the city, they go to their city for assistance as an unincorporated area we go to our County Commissioner as our representation. The community above Patrick Air Force Base which is in D2, is Snug Harbor, which is another small unincorporated area like South Patrick Shores and they use Pineda Causeway as an evacuation route just as we do. The problem that is the issue between the ourselves and the city is that development is in current protecting or incorporating. I will put on record

the minutes, the bylaws for South Patrick Shores. They did not take a vote to represent the members and their board and do not represent us. I would like to put this formally in the minutes. Thank you.

Steve Crisafulli: Thank you. Mr. Todd Foley?

Todd Foley: Thank you, I will waive.

Steve Crisafulli: Thank you Mr. Foley. Alright members, that is the end of public comment or at least what I have cards for.

E. Final Mapping Selection

Steve Crisafulli: At this time, we're going to go into a discussion on the maps that we have before us but before we do that, I'm going to have Abby speak to her memo. I think there were some questions for her on the last committee that she is ready to address.

Abigail Jorandby: Good evening everyone. I was asked to evaluate and to look at the two plans you have before you for tonight's meeting. And I did prepare a memo which was distributed to everyone. Everyone should have had time to receive and review regarding my evaluation of those two plans. I did have some final thoughts and comments I wanted to leave with the committee before you take up any voting. Specifically, redistricting recognizes the constant shift in population. Every 10 years we go through this process. And the mandate under the state constitution, the state statutes and our Brevard County Charter, is that the Board of County Commissioners shall cause the County to be divided into County Commission Districts of contiguous territory as nearly equal in population as practicable. When I talk about shifts in population, the Redistricting Committee's job is to take a look at the shifts that have occurred in the last 10 years, whether there have been increases or decreases. And at that time, balance out the population. The goal is one person, one vote. The statement is to have Districts of equal population in order to equalize individual voting power. When I look at the two maps I'm looking at it through that lens, to the state constitution, state statute, our Brevard County Charter, and what the mandate is, what is really the goal for this committee and ultimately the Board of County Commissioners in regard to the shifting population, the increases in population, the decreases that we may have experienced over the last 10 years, so the courts have looked at it and have said there's no requirement of absolute equality in population between the five Districts. You don't just say okay 121, 121. You can balance them and it is nearly as practical as possible. And some deviations are allowed and that is what we have talked about previously. What is a permissible deviation.

Specifically, when I discussed that in the memo, case law by the United States Supreme Court has held that the maximum population deviation under 10 percent is really a minor deviation. So that amount is the 10 percent between the two Districts, excuse me, the higher and the lower deviation. If the court sees something below 10, at that point in time they don't see there is an equal protection violation. If they see something over 10, the courts have held specifically the United States Supreme Court has held there is a prima facie case for a plaintiff to say if you are over 10 percent you have an equal protection violation meaning there is a question of whether an individual is a one person one vote because you've not redistributed that population. In light of that, obviously looking at the two plans and looking at the mandate about balancing the population among the five Districts, the of these two plans. One plan clearly addresses the five Districts and balances population in all five Districts and you have a very low deviation. I think the prior public speaker mentioned you have another plan where you only will be impacting two Districts so your deviation, you are definitely higher than the first plan. So taking a look at both of those, you are still below the 10 percent, which is a red flag server that is kind of the percentage were the courts start to say you no longer in the minor deviation and keeping in mind obviously you can equalize every District created don't have time the absolute perfect equality, but you can have minor deviations to that is what our evaluation was coming into when we are looking at the two plans. Obviously, there is one plan that clearly balances all five Districts, is attempting to make the population distribution for all five you have a lower deviation as a result because you are impacting all five Districts. The other plan for the hybrid plan or the Fisher plan is one only impacting the two Districts, District 2 and District 4 and obviously we see a higher deviation. Still below the 10 percent. Essentially that is where I was looking at these evaluations just recognizing that there are reasons the Florida Supreme Court has indicated there are some reasons we can have deviation in population from District to District. We touched upon that the last meeting. One of them being if you have a particular District that you think is really going to have an exponential increase in population over the next 10 years, you can somewhat under populate that particular District. There are reasons that the courts give direction as to why you would perhaps have some minor deviations. But ultimately will looking at the two plans, have clearly one plan that impacts all five Districts is attempting to balance the population all five of a much lower deviation. The other plan is only doing it in two. Obviously resulting in

higher deviation between the Districts that are not Impacted. So that is where I was coming from. Really wanted to leave you with those final thoughts about what the mandate is, the attempt to make sure you've one person, one vote trying to equalize the populations In the Districts so you follow those mandates.

Susan Hodgers: Mr. Chair, can I ask her a question?

Steve Crisafulli: Yes.

Susan Hodgers: I just had a question for you were comparing and contrasting the two different plans. A is the Weiler plan, B is the hybrid plan. If we ignore what you just said and ignore the shift the growth that happens and not balance the population as recommended by the Charter, could we as the County be sued and can we lose like we were. And Mr. Crisafulli would know this, back in 2010 and there was a fair District law passed and the legislature was sued and in December 2015, it was overturned and millions of dollars was wasted because the Senate plan went with the plan that was not recommended with a higher deviation. If we go and say we are going to go with the hybrid plan, could the County be sued and lose according to what you said since there are not five Districts.

Abigail Jorandby: In response to that, obviously if we adopted the plan B hybrid plan, at that point in time someone could challenge that plan. The good news is it is under 10 percent so there is no prima facie case we have an equal protection violation, but their arguments you only impacted two Districts instead of all five. And if the population had not increased over the 10 years, obviously there was a question we had can we just not do anything. There was always a possibility that the population had increased, but we do increases. If you take a look at the current census data we have, once again the mandate of the committee and the Board under the state constitution, the state statute in our Charter, is to balance out the population as much as practical. And that is the question. And so, going into court, obviously, yes, we can be challenged, it is possible the court will say we didn't do our job, is very possible because you have a higher deviation in your only impacting two of the five Districts when we have obviously had increases in changes in the five Districts.

Susan Hodgers: But if you go to court with these two plans, plan A or B, which would you be more comfortable with. And say this is what I would do for you if you were to go to court and choose, which one would you pick? In your professional opinion.

Abigail Jorandby: We will defend either one, we would defend either one and we can be sued for either one. That is correct.

Steve Crisafulli: We could be sued for either one, we could be sued for whatever and a discrepancy anybody could find. Thank you for walking a fine line on it. Mr. Jordan?

Robert Jordan: I just need to hear some clarification. You were saying we need to make sure that we balance as much as practical. But in my mind, practicality also looks at the impact to human beings. You can have a balance of 21,000 in each one of them, but when the citizens are used to a certain area and now we are going to move them from that area, is that practical. Is that what we are supposed to be doing only worrying about numbers versus worrying about the human beings they are impacting.

Abigail Jorandby: It really is a balance of the numbers because the courts are looking at making sure that every individual, you don't have a District that has a really high population concentration versus one that is very low. You have your redistricting principles of looking at your manmade boundaries, your natural boundaries, preserving municipal boundaries as well, but ultimately it is not just numbers. To some extent, that is what we are trying to look at to make sure we even out the population in the Districts as much as you can. That's where that minor deviation. The courts recognize that it's not going to be perfect 121 to 121. You're not going to do that across the board. That doesn't make any sense. You do want to preserve the natural boundaries, or the manmade boundaries, or look at municipal, city boundaries. You have that ability to deviate. You don't want to go beyond that 10% because that's when the courts really say well why did this committee or why did the Commission eventually adopt a plan that has not really redistributed them as equally as they can. You are trying to get to a level, but it's not.

Robert Jordan: I guess where I am comfortable is the fact that we didn't go over the 10 percent. Just because I don't think there is a rule that says you have to touch each one of the District areas, correct?

Abigail Jorandby: No. I would say there is no exact rule. Obviously if you had five Districts and one District was very low, but the anticipated population is going to increase over the 10 years, perhaps you are adjusting just the four or five. I wouldn't say there is a rule you have to impact all five, it has to make sense for your County and for your particular Districts and the boundaries we are discussing.

Robert Jordan: Thank you ma'am.

Steve Crisafulli: Mr. Gattle. Hold on Mr. Steele. Mr. Gattle and then Mr. Fisher and then you and Ms. Schmitt.

Josiah Gattle: Can you give us an example of a community of interest that caused a plan to fail and then an example of a community of interest that was upheld?

Abigail Jorandby: A community of interest, okay. I was looking at a case from the 1950's, it was Volusia County, they had a population of 70,000 people in Volusia County. What they did is they had redistributed the numbers, but one particular District was very low and that was actually thrown out because it was way over 10 percent, if I recall correctly. That was something the courts are looking at. You are saying that 10 percent. They will recognize some deviations, but you don't want to see where one is very low. But they also talked about under populating a particular District because apparently at the time, I'm not surprised, near the coast in Volusia County, they anticipated that growth to increase where out west you had a lot of agricultural still. So, they were saying it is okay to have that balance, but you want to make sure there is a reason for it and you don't want to go over that deviation principal where you are no longer a minor deviation. That is the case that comes to my mind on that.

Josiah Gattle: And with the Fisher plan there is almost a four percent below deviation or five percent deviation below the target there in an area where there has been a historically slower rate of growth. Is that something you have ever seen in anticipation of something that might happen rather than plan developments or history that they have underpopulated District such as District 1 with a large land area but no specific plans for development?

Abigail Jorandby: Going back to that one case I was looking at, the court did recognize it was more of an area you knew growth was going to occur, they had kind of seen the trend for that portion of Volusia County to increase so they were going along that. And so that was what the court was looking for. For some kind of data based in a trend or if they knew about a large PUD coming in, something that would increase that population so they underpopulated it a little bit to make sure there was still that balance.

Josiah Gattle: Okay. Thank you.

Steve Crisafulli: Mr. Fisher?

Robin Fisher: Thank you, Mr. Chairman. I want to give the County Attorney some arguments if it is challenged. District 1 I'm not sure if the board realized this, but District 1 is unique in the amount of unincorporated square miles that it manages. For example, District 5 is the second largest 250 square miles that it manages. District 4's unincorporated square miles is 123 square miles. District 3 has 67

unincorporated square miles. The City of Palm Bay and all that is managed by the municipalities. District 2 has 179 square miles; but District 4 has 410 square miles. When you look at the amount of square miles that District 1 is actually having to manage as a County Commissioner and the population that deviates by five percent for the square miles deviate a whole lot bigger than five percent. The fact that we have some PUDs, we have a 2400-unit subdivision that has been approved by the city, we have another 1200 subdivision that has been approved. We think we are going to have the growth and I personally think because of the amount of square miles that D1 for example has to manage compare, it's three and four times some of these other ones that I think you can defend part of your argument of what that Commissioner is managing and the unincorporated areas. And it is okay if one is a little less in population because they are managing so much more area. So, I will be your witness if you need one, Ms. County Attorney, and.

Steve Crisafulli: I don't know if that was more of a question than a deep thought. [laughter]

Steve Crisafulli: Do you agree? That was the question, I'm just kidding. [laughter] Mr. Steele?

Jason Steele: Thank you very much. Quite often when you look at this list, this map, of the Fisher map specifically, Abby, there is an overwhelming preponderance of evidence that would keep that District together because of a variety of different things. Let me just give you a couple of them. One is national defense. That Pineda Causeway is going to be a causeway that will evacuate everybody else in case of the national defense problem. In addition, it will also be a hurricane evacuation method. You also have other problems on a barrier Island between Indian River and Atlantic Ocean that require those communities to stay together and work together. So, my question to you is would that preponderance of evidence weigh heavily in a court of law that would dispute the variation.

Abigail Jorandby: Yes, I would absolutely use that testimony and any evidence I have if for some reason that was adopted and it was challenged because I think those are considerations that have seen courts, they will take into consideration issues of definitely the boundaries. Obviously, you don't want to split a boundary that doesn't make any sense where there is a reason for a boundary to split or not to split. Obviously, that was something that we could use to defend if need be.

Steve Crisafulli: Mr. Steele do you have a follow up or is that it?

Jason Steele: No sir, everything is fine.

Steve Crisafulli: Ms. Schmitt.

Sue Schmitt: Yes, I just wanted to address obviously we have variances as far as the percentages in the two, but the law as Abby did state in her conclusion, either one of these are satisfactory under the law. Let's face it, in today's world we have a lot in litigation that goes on for no reason. And so that can happen anywhere for anything. I would also bring to your attention the Charter which states say five years from now the County has a huge spurt in their population and the County Commission at that time can ask for a Redistricting Committee to take place. And look at those numbers again. So, there is nothing to stop that in the future. And that I think is a really important issue because we know some areas will, but we also don't know what will happen with homes, with businesses, and a variety of things down the road. To me that is an important issue.

Steve Crisafulli: Any further questions for Abby before we get into discussion? I feel like we might have started heading in that direction.

Susan Hodgers: Mr. Chair, just one thing from Abby on what Ms. Schmitt just said about the spurt of growth. I live in Viera, I live in West Viera by the Viera Hospital. When I moved in there I went to the community center. They had a presentation and they said there was a fixed growth, Todd could correct me. I think it was a three percent fixed growth. For example, in District 4 which is probably one of the highest growth areas I think it started back in 1992 when Viera was developed, three percent. I don't think we could have like a 50 percent growth. Is that correct?

Abigail Jorandby: The provision in the County Charter that permits the commission to call for redistricting outside the 10-year cycle requires that the population of the District has to change by more than 25 percent since the last redistricting. So it would have to be a 25 percent increase

Susan Hodgers: How much would that cost the County? Approximately.

Abigail Jorandby: I don't know.

Steve Crisafulli: She won't go on record for that.

Abigail Jorandby: You do have that option, but it would have to be 25 percent increase in the population and one District.

Steve Crisafulli: Mr. Gattle?

Josiah Gattle: Just to review your conclusion on the requirements of this committee, which plan meets the requirements more directly?

Abigail Jorandby: And so, looking at rebalancing the population and making that argument, obviously you of one plan specifically. We call it Plan A. That attempts to redistribute the population in all five Districts, has a much lower deviation. Specifically, we have, just taking a look at it,

an overall range deviation of 2.18 percent. We have the hybrid plan, you are impacting only two Districts, District 4 and 2. You're not making any changes to the other Districts and have an overall range deviation of 8.78. So obviously the lower plan, that's just the way it works. If you are really impacting all five Districts, ideally if you are doing it correctly you would drop that deviation down. Because of the way the census came in for the census data came in for this year.

Josiah Gattle: Thank you.

Steve Crisafulli: Further questions? Ms. Wilson.

Alberta Wilson: I do recall that at one of our previous meetings where you said that the Districts, as far as the County is concerned, has never been challenged. Did you say that?

Abigail Jorandby: I don't recall saying that. I don't know if Jim would have any.

Jim Liesenfelt: I don't think we have been challenged, that I'm aware of.

Alberta Wilson: Okay. That did come up that you guys, and maybe I'm saying it incorrectly, never been challenged.

Abigail Jorandby: Not that I am aware of.

Alberta Wilson: Okay. I am just curious.

Steve Crisafulli: Further questions?

Susan Hodgers: Mr. Chairman, one last question. Is it correct to say I just pulled up the Supervisor of Elections Lori Scott's website for District 4 written currently the numbers are approximately 101,000? So, if we were going to take 25 percent growth of 101,000 over the next five years, I'm just guessing like Viera is the biggest growth at three percent per year. So, three percent times five years would be 15 percent. So, it would be probably unlikely unless we started giving away free houses. [laughter]

Robert Jordan: And we are not doing that. No.

Abigail Jorandby: I will not make any comment there. About free houses.

Susan Hodgers: They said it is an option. But it is an unrealistic scenario probably.

Abigail Jorandby: Definitely. If you are looking at three percent over five years, obviously at that point in time maybe eight years or nine years but at that point you're getting closer to redistricting already for your normal timeline.

Susan Hodgers: Thank you.

Steve Crisafulli: Mr. Fisher.

Robin Fisher: So, in your map you said that if it is more than 10 percent you could have an issue, but we are not. So, this is a legal plan. But even

if you had to revisit it five years from now, it's got to be up 25 percent higher for you could even consider revisiting.

Abigail Jorandby: That is correct. One District would have to increase the population 25 percent from what is actually at that point adopted. We are seeing that growth spurt in population and we have a 25 percent increase.

Robin Fisher: To me that means you are under the 10, but you could probably could argue they don't even care about it unless you are 25 percent higher. To bring it back under the Charter.

Abigail Jorandby: Well, that is our Charter. I don't want to confuse the Charter with the case law that has been put in place by the United States Supreme Court and is being followed when you do redistrict. When you go to redistrict, you are allowed to have minor deviations on your boundaries, your reasons why you may underpopulated a particular District or have a little bit higher in another. And that is the 10 percent rule per the 25 percent, that is the trigger that the Charter provides if we see that exponential growth all of a sudden. At that point we are looking at an issue we might not have a one person - one vote, so we need to address it then. I know they are percentages, but they are different, they are being called from different sources. Wouldn't want to confuse them to read the 10 percent is the guidepost for the Supreme Court if we were challenged, if we were over 10 percent on a redistricting plan that we are moving forward, at that point in time, there is a prima facie case the plaintiff would have, saying we are violating an equal protection issue that at that point in time one person, one vote would not be occurring. Under the Charter that is a 25 percent rule that is really triggering the out of cycle review of the District. So, if we got into the situation we would have to evaluate on the same parameters we were doing tonight.

Robin Fisher: So, you're saying stay under 25 we are good. [laughter] Mr. Chairman, in light of that I will make a motion if I can, if it is appropriate, that we adopt the Fisher plan.

Steve Crisafulli: Hold just a moment. We have some more comments first. Abby, are you done?

Abigail Jorandby: Yes, I am.

Susan Hodggers: Mr. Chair can I ask one, on the under population you mentioned that to Mr. Fisher, is there a range that there is a minimum or maximum for the under population, for example, if District 4, I keep on picking on Todd. But for under population. So, if somebody is underpopulated, is there a minimum or a maximum range. I know 10% is the max for deviation.

Abigail Jorandby: Correct. If you recall, you did watch the presentation and the recommendation is either over or under three percent. And so, we mentioned that percentage before and a prior meeting. In an individual District, it's recommended not to go beyond three percent or below three percent in under populating or under populating. That is just a recommendation, I don't have any backup for that I don't have any standard, that is just the recommendation from the expert who did that presentation.

Steve Crisafulli: Thank you, Abby. Appreciate your time on that. Mr. Liesenfelt, do you have anything to add to the conversation. Anything that you have heard that needs to be addressed from the County Manager's Office? Obviously, we know regardless of where these lines are drawn, we know that County services don't stop when they heard certain lines. People still get their garbage picked up and they still get the services required to. Obviously, there are some cities that overlap with County lines and District lines and that sort of thing. Anything that you have heard the you feel is good for the order?

Jim Liesenfelt: Countywide services are provided countywide from each of the Districts. Where the Districts go, the County services also go with them.

Steve Crisafulli: At this time, I would like to bring James up. Everybody noticed they have a computer in front of them. That is a screen share. You don't need to push anything. It's only going to be anything he brings up or zooms in on or brings to our attention. That is his role, at this point we are in discussion. Mr. Fisher I will go to you. Because you have the floor next to. But members, any discussion that the committee wants to bring forward on these maps, it's now's the time to do it.

Robin Fisher: I just believe we have all seen these maps and I think James did a great job of trying to accommodate a lot of individuals and put a lot of different maps and scenarios out there that we all have had a chance to study. I do think that the hybrid plan is less of an impact on our population, one is 39,000 people to be affected by it and we are not sure how that plays out when we get to the Supervisor of Elections for her office and trying to figure out the new voting booth these people might go to and the other plan has a thousand people being affected. I think it minimizes the amount of people to be affected. And I think it is less change on the County. And when it is time to vote, I would be voting for that plan.

Steve Crisafulli: We are in discussion on the maps. Mr. Gattle.

Josiah Gattle: As a point of clarification from Public Comment asking County staff, the School Board Districts are not at all affected by these County Commission Districts, correct?

Steve Crisafulli: That is correct.

Josiah Gattle: And we are not affecting any County services which are administered countywide. Those are remaining the same because they are administered by staff, not by the County Commissioners themselves.

Steve Crisafulli: Correct. It is administered by County workforce, yes.

Josiah Gattle: Perfect. Thank you.

Robert Jordan: Mr. Chairman?

Steve Crisafulli: Yes, Mr. Jordan.

Robert Jordan: Now I'm a little confused. I thought that the School Board always followed the District?

Steve Crisafulli: That would make it easier.

Robert Jordan: I'm thinking when you run for the School Board for District 1, it normally is the same District.

Robin Fisher: Do not bring common sense into this discussion. [laughter]

Steve Crisafulli: No, it should be that way, but that has no impact whatsoever on what we are doing.

Robert Jordan: Okay.

Steve Crisafulli: Not an issue.

Robin Fisher: It might be In District 1, but not equally in all the other Districts.

Steve Crisafulli: Further discussion? Mr. Weiler? You want to discuss we are discussing. Anything you want to discuss.

John Weiler: The first thing is there was some implication that District 2 ends at Snug Harbor and not at Patrick Air Force Base. There is actual population that votes on Patrick that's not true at Cape Canaveral or KSC. No one lives there. But Patrick is in the census. So, from an area standpoint, moving to South Patrick Shores is a contiguous area due to current District to boundary which ends at Patrick Space Force Base. So that shouldn't be an issue. The other thing is if you look at the plan proposed, it has the least deviation in all Districts. And it does have population change considered in every District. As Mr. Fisher pointed out, 39,000 difference. People will be changing the District that they are in but that is because of the population shift given to us by the census. When I first looked at this, it was obvious from the target that District 1 was underpopulated, District 2 was underpopulated. As I think I stated in the previous meeting, if you're looking at it from 100,000 feet down, District 2 has to give population to District 1 so they can in fact be closer to the

target. Once District 2 does that, they are underpopulated and double underpopulated because they are the one populated to start with and the only place they can move this District 4 to gain population because we are surrounded by District 1 and surrounded by District 4. So that in mind, we move slightly. In many discussions we had here, we kept the Viera DRI together. And then by doing that, and keeping that in District 4, which includes all the Springs area, the only place that District 2 could move is really toward South Patrick Shores and along the Indian River, which we already agreed to in this map. Both of those areas when put together give us an average percentage that fully meets the requirements we were given when we started this out. Everything is under three percent for the total deviation is under three percent. I'm sure Abby would agree that this one would not give her any heartburn. In fact, if I can quote Abby's conclusion, some proposals are acceptable however, when comparing the two can be argued that Brevard County Charter in case law in the plan I am talking about were put in there for the change of a population all five commission Districts at the same time providing lower population deviation. And I think if somebody were to look at this outside of us, if you only change it into the five Districts, it is not like you are really looked into what should be done to keep it pretty much even. As even as possible. And that's what the proposal was, that is with the work that we put into it, a lot of work to get to those by just moving a little area here, a little area there so we come with the deviation. And again, I would remind everyone that Patrick Space Force is a populated area. It is not unpopulated. Thank you.

Steve Crisafulli: Further comments?

Todd Pokrywa: Mr. Chairman.

Steve Crisafulli: Yes.

Todd Pokrywa: Just a comment as it relates to District 4. Both options appropriately underpopulated District 4 and that is appropriate because of the anticipated and planned growth within District 4. Albeit Mr. Weiler's plan is a little more conservative in under populating District 4. I agree with Mr. Fisher about District 1. There are a number of projects on the drawing board, a lot of PUDs that have been approved, so there's anticipated growth in District 1. So, in that case, it is appropriate from my perspective that District 1 be underpopulated as District 4 is underpopulated.

Robert Jordan: Mr. Chairman.

Steve Crisafulli: Mr. Jordan.

Robert Jordan: I was listening to Mr. Weiler and he made a lot of sense. But just a little challenge here because he said something in my mind is just not true. When you think about all the work that we have done to get to this point, you can't say we didn't study this and come to a conclusion with the majority vote. Even though you are saying everybody can look at the maps and if we decide to go with a hybrid that we didn't do our job, I would argue with you we did do our job and we came up with the best solution that we felt was best for our community that we live in. I still as an engineer, I'm telling you plus or minus, in math says that you can do plus or minus. And they say 10 percent is that number. We are under that number so it has to be acceptable. We can be liberal and say no you can't do that, you have to keep your low five percent. But the requirement is based on what I am hearing from Abby is 10 percent is when they start raising an eyebrow. And we are not at 10 percent. So, I am pretty comfortable with where we are going. And when it is time, I would like to make a motion.

Steve Crisafulli: Further comments, questions, statements?

Sue Schmitt: We need a motion.

Steve Crisafulli: The process is, there is not a vote on both maps, there are not two maps going, the only way there would be a vote on both maps is if a vote failed on the first map brought forward. So, when it is appropriate from whomever if we are done with discussion to make a motion and we make a decision based off of the facts that we have before us, that's going to be the decision this committee carries to the Supervisor of Elections and then on to the County Commission to make a determination on whether they agree with us or not.

Jason Steele: Mr. Chair.

Steve Crisafulli: Yes, sir? Mr. Steele?

Jason Steele: I move that we move the Fisher plan ahead to the County Commission.

Yvonne Minus: I second, Yvonne Minus.

Steve Crisafulli: Okay. We have a motion on the table and it has been seconded and now we are in discussion on the Fisher hybrid map that has been brought to the evening.

Todd Pokrywa: Mr. Chairman, I just have a question. I was curious how it became the Fisher plan?

Steve Crisafulli: That's a good point and I always thought it was your hybrid plan myself but somehow or another in the minutes it got carried forward as the Fisher plan and it's the hybrid plan. And so, you are going to own it Mr. Fisher, and all the good that comes from it, Mr. Pokrywa you

will get, and any bad is yours. [laughter] We have a motion, we had a second. We are in discussion on the quote unquote Fisher plan as it sits before us with no amendments. Any discussion before we go any further?

Susan Hodgers: Mr. Chair? If you could just clarify when Abby was talking about how Mr. Weiler's plan was more comprehensive and affecting the 5 Districts in Brevard County and Mr. Fisher's plan only does two of the four Districts affecting District 2 and District 4. I know there's a lot of people here from the Suntree area. Springs of Suntree and Capron Ridge. So, if you can kind of explain which areas would be affected with those two PCAs. The hybrid or the Todd or the Robin plan. With those two PCAs.

Steve Crisafulli: Okay. James, do you want to give the differential between the Fisher?

James Shives: As far as between District 4 and District 2? Sorry, the only difference between the Weiler plan and the Fisher plan as regards to District 4 is PCH 8 which is the South Patrick Shores area. The areas north of the Viera DRI and then the area near the river along US 1 those are the exact same edits in both plans, neither of which affect the Viera DRI or Suntree areas at all.

Steve Crisafulli: You are wondering if Springs of Suntree have been impacted at all?

Susan Hodgers: Correct. Springs of Suntree, Capron Ridge, Hundred Acre.

James Shives: No, with no impact.

Steve Crisafulli: Both of these plans keep them in District 4 intact.

James Shives: Yes.

Steve Crisafulli: Further comments?

Sue Schmitt: Call the question.

Steve Crisafulli: Mr. Gattle.

Josiah Gattle: I am deeply uncomfortable with the variation on this particular map. I think that it does not address the call to question for this committee. I think that we see Palm Bay, particularly the westside of Palm Bay overpopulated where we are anticipating growth as well as in District 1, District 4, I don't think it's wise to necessarily kind of ignore the question before us of evening the population. I know that it's less popular to change people from District to District, but I think it is important we even the population and not kick the can down the road to the next committee, which I believe will have wildly different populations. I think we can anticipate in the Viera area having possibly 20 percent more

people than the other Districts. It would cause us to have very disproportional representation, which I know is important to all the people in this room and I think it is important we even the population to give us an equitable starting point rather than going and kicking the can down the road with this plan.

Susan Hodgers: Mr. Chair, I agree with Mr. Gattle that we were given a job and we need to do it right and this is done once every 10 years. We shouldn't say just because we are able to do it in five years we may come back and nobody can give an answer of how much that's going to cost the taxpayers. The numbers below the 10 percent, there's the eight percent, 8.7 percent deviation and the 2.18 percent. I don't think we should just pass something and satisfy something just to sneak it in. So I think we should do it right and do what is best for Brevard and the residents of Brevard and there is 600,000+ Brevard.

Steve Crisafulli: Further comments?

John Weiler: I would have to agree with Mr. Gattle and Ms. Hodgers, I'm concerned with the spread, the 8.7 percent. I don't want to support that because I can just see in my crystal ball, that is going to come back and potentially bite us.

Steve Crisafulli: Any further comments before we go to a vote?

Alberta Wilson: And I tend to agree with Mr. Weiler. That 8.78 percent bothers me, particularly when what is it 4 other PCAs were not touched. In my opinion they should have been, could have been.

Steve Crisafulli: Can you repeat that into the microphone for the record?

Alberta Wilson: Okay. I said I tend to agree with Mr. Weiler just because we are under 10 percent doesn't necessarily make it a good thing. I like the fact that he addressed the least deviations in all the Districts, if I could say it that way. So therefore, that is my preference.

Steve Crisafulli: Okay.

Robin Fisher: I would just like to say before we vote, Mr. Chairman, that I don't think people are really giving any consideration of what is really uneven in this whole deal, they are making reference to population, but I will make reference to the square miles of unincorporated area that each Commissioner has to manage. And District 1 is 410 miles and District 3 is as little as 67 miles, so the population deviation to me, 4 or 5000 people, is small compared to the amount of mileage you have to manage and administer County services and doesn't have any help from municipalities, which a lot of these guys have. And so I'm, in as far as representation, the last time I looked it takes three Commissioners to get anything done. And so, if anybody thinks by doing these maps that if you

put 121,000 people in each District that is all you need to move a project forward or something, that is very misleading. It's going to take two other Commissioners whether the population is 115, 120, 121. It's going to take Commissioners working together to move the County forward and there's no misrepresentation because you still no matter what District you are in and what citizen is advocating for a project. They're going to have to go talk to three Commissioners to get it done. And yes, one Commissioner could help lead the charge, but they have to bring two more with them. So, our population amount, 3 or 4000 people I think when you get down to it, bringing it into compliance is so minor compared to if you look at having to manage.

Steve Crisafulli: Okay. Members I'll make a few comments, I haven't really spoke a lot on the maps. Just trying to be more objective from the standpoint of running the committee. I will be honest, I feel comfortable voting for either one of the maps. I think you can justify either one on face value for a multitude of reasons. The fact of the matter is, I'd rather live in an area where five Districts converge so I have five representatives speaking for me when they come to a County Commission meeting. Dividing areas where you have to because we have simply for map purposes we have used communities of interest, we have used geographic boundaries. For those on the phone, can you please mute please. We are getting some feedback. I would say that this committee has done a lot of work. You look at the proposals we have gone through in the way we went through the process of eliminating those that don't meet the criteria that we came to a common understanding on. And I think it is something that we should be proud of. Certainly, whatever map we do vote out of here tonight is going to go again to Supervisor of Elections, I can make an argument one might be easier than the other one just because it's more simplistic. But either way there is going to be a process. Supervisor of Elections is going to look at it, it's then going to go to the Commission again, we are planning for November 9th for that to take place. And then the Commissioners are going to have a say so in what they see. And certainly, they may have their own concerns that none of us have heard. So, I just appreciate the work. Nobody is getting a paycheck to do this, we are all doing this on our time, we are doing it in a way that we feel is best from the standpoint of public input. Our first meeting we may have had three people in the room. Tonight, we have at one point we've got 40 or 50 people in the room. And that shows the process works. That shows this community engagement. I think we got 70+ emails. Again, shame on whoever was spreading misinformation.

But that is part of the process and part of the process is us also disseminating what is right and what is wrong in trying to figure out what makes the most sense for this community and what makes sense today might not make sense 10 years from now. It's a decision that this committee is making with an understanding of what we think the future will look like in Brevard County. And so, with that, with no further comments from the committee, no further comments, does anybody on the phone have any further comments before we go to a vote on the hybrid plan? Maybe you're on mute.

Yvonne Minus: No sir, I believe we have done due diligence. Nothing has been rushed through. We have all taken our time and viewed everything so I'm ready to vote.

Steve Crisafulli: Thank you, Ms. Minus. And with that, we are going to have a roll call vote. So Teresa, if you would, please call the roll.

Teresa Rivera: Robin Fisher.

Robin Fisher: Yes.

Teresa Rivera: Robert Jordan

Robert Jordan: Yes.

Teresa Rivera: Josiah Gattle.

Josiah Gattle: No.

Teresa Rivera: Susan Hodgers.

Susan Hodgers: No.

Teresa Rivera: John Weiler.

John Weiler: No.

Teresa Rivera: James Minus.

Steve Crisafulli: Are y'all on mute?

Steve Crisafulli: Mr. Minus?

Yvonne Minus: I think he was having problems. He was in the car, I'm in the room.

Steve Crisafulli: Wait, did you just say? Mr. Minus.

James Minus: James Minus is here.

Steve Crisafulli: We are doing a roll call vote on the Fisher plan and it is to you.

James Minus: Okay. Yes. Hybrid Plan Yes.

Teresa Rivera: That is an affirmative from James Minus.

Teresa Rivera: Yvonne Minus.

Yvonne Minus: Yes.

Teresa Rivera: Alberta Wilson.

Alberta Wilson: No.

Teresa Rivera: Henry Minneboo.

Henry Minneboo: Yes.

Teresa Rivera: Todd Pokrywa.

Todd Pokrywa: Yes.

Teresa Rivera: Sue Schmitt.

Sue Schmitt: Yes.

Teresa Rivera: Steve Crisafulli.

Steve Crisafulli: Yes.

Teresa Rivera: Jason Steele.

Jason Steele: Yes.

Teresa Rivera: Okay. The majority has voted yes on the Fisher plan.

Steve Crisafulli: Alright members, with a vote of 9 to 4, show that the hybrid Fisher plan will be the plan that the committee advances to the Commission for approval or denial to send back. And with that again, thank you for the community for coming out and being part of this conversation, thank you to the committee members for the work you put forward. Abby has something for the record. Can those in the audience please keep it down for we have business still to attend to.

Abigail Jorandby: We just need direction from the committee to send to Supervisor of Elections.

Steve Crisafulli: I do need a motion from the committee to send this to the Supervisor.

Robert Jordan: So moved. Motion to Mr. Gattle.

Josiah Gattle: Second.

Steve Crisafulli: It has been moved by Mr. Jordan, second by Mr. Gattle. All in favor say aye. Any other business before the committee? Seeing none, Mr. Liesenfelt.

Jim Liesenfelt: A little bit for the audience, this is expected to go to the Board of County Commissioners at their November 9 meeting.

Steve Crisafulli: November 9th meeting this will be going to the Commission. Mr. Pokrywa.

Todd Pokrywa: Mr. Chairman, I just have a question for Abby. Is there a possibility this committee may have to reconvene for any reason in the future? And if so, we are still all subject to Sunshine Law?

Abigail Jorandby: If for some reason this plan goes to the Board, the Board has the option to approve and disapprove and it would come back to this committee. So yes, you're not disbanded as of yet until they actually adopt their final plan.

Steve Crisafulli: The final plan is not officially adopted. Even if the Commissioners adopt it, it's not official until the legal descriptions are presented.

Abigail Jorandby: Correct, there is a little bit more of a process for the next step we will send it to the Supervisor of Elections and in the meantime bring it before the Board and they approve that plan they direct us to do legal descriptions and bring it back to another meeting with the Board where they will actually officially adopt the plan with the correct legal descriptions of the boundaries and at that time that is when it actually takes effect.

Steve Crisafulli: Okay. Anything further? Seeing none, this meeting is adjourned. Thank you all.

F. Adjournment

- a. Meeting adjourned by Steve Crisafulli at 7:00pm
- b. Next meeting if needed – Tuesday, November 16, 2021
- c. Attachments in separate file
 - i. Final Mapping Proposal
 - ii. Attorney Opinion Memo