A. Call to Order

B. Pledge of Allegiance to the Flag

C. Roll Call

Present: 5 - Mayor Netts, Council Member DiStefano, Vice Mayor Meeker, Council Member Lewis, and Council Member Moorman

ORDINANCES & PUBLIC HEARING
Order of Business for Public Hearings (Council may make inquiries at any stage):
Open Hearing
Staff Presentation
Applicant Presentation
Council Questions of Applicant
Public Comments/ Presentations
Rebuttal by Applicant
Close Hearing

Flagler County Commissioner Barbara Revels expressed her gratitude to the City Council and public for their support of the Carver Gym, Carver Center initiative. She also wanted listeners to know that the auction closes June 15, and they could log on to www.flaglercounty.org/carver to place their bids. She thanked the Council Members and Mr. Landon for their donations of dinners out, boat ride and bicycle ride of the trails.

ORDINANCE

1 11-200 ORDINANCE 2011-XX RELATING TO THE REDISTRICTING OF THE CITY COUNCIL DISTRICTS.

Attachments: Redistricting Ordinance 6 16 redline
Redistricting Ordinance Exh.A-Alternate 2
Districting Report
FINAL Minutes of the 5-26-2011 meeting (Corrected 6-3-2011)
Minutes of 6-2-2011 Districting Commission meeting

Mr. Reischmann read the title of the proposed ordinance into the record. Mr. Landon gave a brief overview of this item. Mr. Papa gave a PowerPoint presentation (attached to these minutes).

CM Lewis believes there was an excessive amount of people taken out of District 4 (his district), to balance District 1. He believes machine logic was used, instead of human logic. Response - Mr. Papa - The maps met requirements of the City Charter; he also explained that you want to use streets or canals, etc., for the boundary lines and take the census population into account. Mr. Landon - If you have suggestions as to where lines should be drawn, rather than as presented here; that is why we are here, to discuss.

VM Meeker - Was there any discussion by the Redistricting Commission that by using I-95 as a major boundary that you are creating an East Palm Coast and a West Palm Coast? Ans. - Mr. Papa - There was no discussion by the Redistricting Commission about that; the discussion looked more at using our identifiable streets to draw the district lines.

VM Meeker - Was there discussion about potential growth in these areas in the future? Ans. - Mr. Papa believed that question was asked of staff, and the discussion was that we have to work with the population in front of us.

Public Comments:

Alan Peterson - Spoke as a resident of Palm Coast and as a former Council Member
of Palm Coast, not as a Flagler County Commissioner; regardless of what the City Council decides, the County will also have to redistrict but the decision made today will essentially not effect the County's decision, etc. He is being redistricted from District 4 to District 1; he has no personal preference. The choice recommended looks the best today, but thinks it will very quickly turn out to be the worst alternative for the future; you want districts to be balanced as much as possible for the next 10 years. He believes the recommended choice is short cited for three reasons: 1) imbalance in growth; reduced District 4 into an area which is already fully developed; portion west of US1 is vacant; part of DRIs (Development of Regional Impact) coming in the future but it's going to take some time before it's going to be occupied by very many people; at the same time you have restricted District 2 that is already platted and has limited growth potential, so from growth standpoint, Alternative 1 is a poor choice; 2) divided east and west, and you want to try to spread the population and the Council Members’ Districts as wide as you possibly can (3 minutes was called by Mayor Netts).

Mike Cocchiola of Pine Lakes section - Spoke of balanced distribution of population; one of the objectives of the Redistricting Commission. When you look at population targets, it should be close to 18,745 and within 5% variance; when you look at numbers you want to get the lowest variance you possibly can get that would represent an objective rebalancing. Alternate 1 with Adjustments, is not the one with the lowest possible variance. He went over the percentages in the different districts in the different alternatives and stated Alternate 3 has the most balanced percentage distribution. Alternate 1 if you add the total population and look at the +/- from target, when you look at them and add them up, you get an objective measure from alternative to alternative; it is a valid measure of balance. In Alternate 1, the variance is well over 1300; Alternate 3 has the lowest numerical variance from the ideal; Alternate 3 is clearly the better choice.

Karl Bradley - Alternate 1 (with adjustment) is the least attractive of all; divides east, west, north and south and farthest from the requirements; a lot of restrictions. Alternate 3 seems to be the best, except for the small dog leg (jut out) and it divides up the east area.

Edith Campens (phonetic spelling)- This process hasn't followed the usual process she's experienced in other communities; workshops for public discussion, etc. After looking at the alternatives, she doesn't believe it is in the common interest, when you do 13 miles out. In addition, you eliminate a Council Member from that area. She questions where the growth is going to be and whether this is really suitable and since we have to live with this for the next 10 years we have to take a closer look at this. CM Lewis spoke of moving things; we can move census blocks; we already have two more alternatives. It doesn't seem like we have really examined this; no one has said what actual benefits there are to the alternate the Redistricting Commission selected. Why that one?

Linda Hanson - She lives in the "C" section and wondered why when other communities have been meeting since April discussing redistricting, the first meeting of the Palm Coast Redistricting Commission took place on May 26. She stated the actual discussion about the alternatives lasted only 30 minutes and a side by side comparison was never done and questioned whether proper notice of the meeting was done. According to the State website, census data was available on March 17. She questioned why we didn't prepare in October and November, because we knew it was coming. The primary election will be held on September 13, less than 90 days from this meeting and with the proposed Alternative, one will run unopposed. She spoke of the information contained on the Hillsborough County website.
Ed Caroe - His first impression is we’re trying to emulate what the State has done, and there has to be change. He sees there being a major effort to stop us from working together as one community, and that is what we need.

Charlie Ericksen - Two areas of concern: 1) Redistricting Commission’s selection - after initial staff recommendation was rejected by the City Attorney, the Council Members were advised to select one registered voter from their respective districts; this was not uniformly followed and District 4 was unrepresented; 25% of the Palm Coast electorate was not represented. 2) Appointment of the Redistricting Commission - City Charter states the district commission be appointed by the first day of the month following census notification; the City received the census in mid-March and no action was taken until mid-May and stated other communities have already met on redistricting allowing public input. He asks that the City Council affirm that all pre-requisites have been met prior to any vote.

Dennis Cross - 47 Front Street. The City Charter requires the City adopt the redistricting ordinance 90 days prior to the next scheduled election. The next election is the primary on September 13; 90 days prior to that is June 13. The City Attorney has rendered an opinion that the next scheduled election is only the general election in November and not the primary. One of the things each candidate has to do is sign that they have read and understand Florida Statute 106 on election law. He read from Fla. Stat. 106, page 27, the definition of “election” and page 47 [106.08(c)] stating primary and general are separate elections; also the City Charter, page 9 [Section 8(6)(b)] candidate receiving majority vote in primary election shall be elected to office. He noted past precedent; two Council Members were elected in the primary. The Redistricting Commission’s recommendation cannot be used in this election, because the ordinance was not adopted 90 days before election on September 13.

Claudia Towne - Alternates 1, 2 and 3 all meet the criteria. Alternate 1 was the only one that eliminated a candidate from running; this is unfair in the middle of a campaign. A candidate has to meet all 7 requirements; it takes time and money and Palm Coast residents need a choice of candidates. At this late date there is not enough time to get other candidates; voters want an election not an appointment; they want a choice. She urged Council to adopt Alternates 2 or 3 for a fair election.

Sid Nowell - Resident and practicing attorney in Flagler County. He’s not here to support the candidacy of Dennis Cross or criticize the work of the Redistricting Commission. He stated the end does not justify the means; officials need to behave ethically; distinction between law and ethics. Mr. Cross should be commended for running for office; Council should not ignore that. Council has a problem and were elected to be problem solvers, behave in an ethical manner, be creative.

Otto Bohmueller - Grand Haven resident. Alternates 2 or 3 are closer to your population goal, rather than Alternate 1. Alternates 2 or 3 are more homogeneous, contiguous. The Redistricting Commission did not conduct an adequate or professional study as required; did not compare the alternatives side by side. It is unfair to eliminate a candidate when better alternatives exist. We can’t have unopposed candidates. He stated the June 2, Redistricting Commission meeting did not allow the public to speak; it was unfair. Appoint a new commission with all districts represented and have a better understanding of this.

Dee Cocchiola - She attended the June 2 Redistricting Commission meeting and wants to know why Commissioner McCarthy or any of the other commissioners are not here to present their findings.

Bill McGuire - Talking about the mechanics of what happened and lessons to be
learned and stated that at the last meeting of the Redistricting Commission, they were seated with their backs to the public, no elected officials, nor City Manager or City Attorney in attendance; turned into a donnybrook; he filled out the form to speak and was told to sit down without being allowed to ask questions. Council shouldn't have allowed this to happen and it should be put behind us as soon as possible.

Vincent Liqouri - Congratulated audience in this meeting; praised their decorum. He is a long time advocate of using the talent that exists within this City. He believes this has not been done; implored Council to use the power/talent that is in this City.

Richard Munsterman - Praised open meeting; you have now created east vs. west with Alternate 1. He lived in Delray Beach for 30+ years and spoke of how many amenities, city hall, tennis, paved roads, schools, etc., all went to the west side of town (and nothing to the east). If Council goes with Alternate 1, there will be 3 votes for the west and 1 on the east side of I-95; if we have a Mayor come from the west side, then there will be a 4-1 vote (for the west) on everything submitted to Council; Alternates 2 and 3 solve this problem.

Joe Cunnane - U.S. Navy Korean Veteran and acknowledged Flag Day. Council should be proud of the citizens of Palm Coast, especially those represented at this meeting. The decision was arrived at too soon and too early; please listen to the people in this room.

End of Public Comments.

CM Distefano - Council worked very diligently on timeframe provided, spent many hours on this issue and went over the pros and cons. CM DiStefano motioned that Council accept Alternate 2, because it distributes the growth more evenly. There is one issue that she disagrees with; there is still enough time to run for office.

VM Meeker - Seconded motion for discussion purposes. How does this Alternate fix one of the problems an earlier speaker mentioned, with District 3 being at 4.4% (from target)? It's not going to be long before District 3 exceeds the 5% variance. Response - Mayor Netts - if you look at the 4 alternatives, we can group them: Alternate 1’s are similar, Alternates 2 and 3 are similar (Alternate 3 the variance target is closer). Mr. Papa went over the different alternatives/maps and discussed each one; all meet the 5% criteria.

CM Lewis - Stated all of Pine Lakes was wiped out of his district and only his street was left (in Alternate 3); Alternate 1 with Adjustment is what he wants.

A motion was made to approve Alternate 2 Map by Council Member DiStefano and seconded by Vice Mayor Meeker that the Ordinance be Approved as amended on First Reading. This motion was approved by the following vote:

Approved: 3 - Mayor Netts, Council Member DiStefano, and Vice Mayor Meeker
Denied: 2 - Council Member Lewis, and Council Member Moorman

D. ADJOURNMENT

The meeting was adjourned at 10:15 a.m. Respectfully submitted,
Barbara Redline

11-207 ATTACHMENTS TO MINUTES
Attachments: Redistricting Presentation