

City of Orlando
2011 Redistricting
Advisory Board
*Final Report of a
Recommended Plan
for Redistricting*

RE 2011 CITY OF ORLANDO
DISTRICT
ING



CITY OF ORLANDO
**2011 REDISTRICTING
ADVISORY BOARD**



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TABLE OF CONTENTS

Chair’s Transmittal Letter to Mayor and City Council	7
Executive Summary	8
Introduction and Authority	9
Redistricting Overview	10
The Legal Requirements of Redistricting	14
The Guiding Principles of Redistricting	16
Public Engagement	18
The Subcommittees	20
Accepted Plans of Redistricting	21
The Recommended Plan for Redistricting	22
Appendices	
Resolution	A
Communications Plan	B
RAB Meeting Schedule	C
RAB Meeting Agendas	D
RAB Meeting Minutes	E
Subcommittee Meeting Schedule	F
Subcommittee Minutes	G
Accepted Plans	H
Plans Not Accepted	I
Emails from Public	J
Letters from Public	K
Map Comments from Public	L
Emails to Public	M
RAB Tabulation Sheet	N
City News and Misc Public Outreach	O
Public Sign-In Sheets	P

The conception of political equality from the Declaration of Independence, to Lincoln's Gettysburg Address, to the Fifteenth, Seventeenth, and Nineteenth Amendments can mean only one thing – one person, one vote.

*- Justice William O. Douglas,
United States Supreme Court
(Gray v. Sanders, 1963).*

October 3, 2011

Chair:

Wayne Rich

Vice Chair:

Jacqueline Barr

John Cabrera

Angel Colon

Cleave Frink

Stephanie Howell

Sarah Kelly

Bishop Allen T.D. Wiggins

Tanya Juarez Wilder

The Honorable Mayor Buddy Dyer and
Commissioner Phil Diamond
Commissioner Tony Ortiz
Commissioner Robert F. Stuart
Commissioner Patty Sheehan
Commissioner Daisy W. Lynam
Commissioner Samuel B. Ings

Orlando City Hall
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Orlando, Florida 32801

Dear Mayor and Commissioners,

On behalf of the City of Orlando 2011 Redistricting Advisory Board, it is with great pleasure that I present you with this *Final Report of a Recommended Plan for Redistricting*.

The report is the product of more than a dozen public board hearings, six of which were held out in the community in each of the City Council districts, from Northlake Park Community School in southeast Orlando to Dr. Phillips High School in west Orlando.

Members of the board also conducted nearly a dozen subcommittee meetings where the citizens of Orlando often played key roles in helping craft the intricate details that constitute the board's final recommended plan.

Over the past several months, the board heard from countless Orlandoans, each of who care deeply about our City. Hundreds attended our hearings, where many testified publically, while many more simply left written comments or delivered personal messages to individual members of the board before and after our meetings.

The board also collected many letters and emails, some from individuals and some from neighborhood associations and businesses. This correspondence is included within the report.

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This report also includes a single recommended plan for redistricting. We are pleased to report that the plan is being recommended to you by unanimous approval of the board. We hope that it serves you and the City well over the next decade.

Finally, please accept our sincere thanks for your support throughout our deliberations and for the opportunity to serve you in this exciting endeavor.

Very truly yours,



A. Wayne Rich
Chair

EXECUTIVE SUMMARY

The City of Orlando 2011 Redistricting Advisory Board unanimously recommends that the Orlando City Council adopt the Recommended Plan for Redistricting included within this report and tabbed as “Recommended Plan.”

The board’s recommendation is based on population data provided to the City of Orlando by the United States Census Bureau. This data reflects the Census Bureau’s population for the City of Orlando as of Census Day, April 1, 2010.

Table 1 shows the residential population of each of the six City commission districts as of Census Day 2010 and as proposed under the Recommended Plan for Redistricting. The table also shows the City’s total population on Census Day in 2000 and in 2010, along with percentage of total population deviation between the districts as of Census Day 2010 and as proposed under the Recommended Plan for Redistricting.

	2000 CENSUS POPULATION	2010 CENSUS POPULATION	DEVIATION	2011 RECOMMENDED PLAN	DEVIATION
City Wide	188,199	238,916		238,916	-
District 1		52,980	33.05%	38,325	-4.39%
District 2		30,033	-24.58%	38,848	-2.04%
District 3		39,003	-2.05%	39,455	-0.88%
District 4		44,605	12.02%	41,693	4.31%
District 5		32,678	-17.93%	38,622	-1.89%
District 6		39,617	-0.51%	41,973	4.90%

INTRODUCTION AND AUTHORITY

This City of Orlando 2011 Redistricting Advisory Board Final Report of a Recommended Plan for Redistricting (the “Final Report of Redistricting,” or the “report”) fulfills the City of Orlando 2011 Redistricting Advisory Board’s (the “RAB,” or the “board”) duty to “[p]repare and submit to Council, on or about October 3, 2011, a plan for redistricting each of the City’s six commission districts into districts of contiguous territory as nearly equal in population as practicable.”

The board was established by resolution of the Orlando City Council on June 27, 2011. The resolution is included in this report as Appendix “A.” The resolution also appointed membership of the board, provided the duties and responsibilities of the board, and provided the board with the principles and standards by the board would conduct its work.

The board completed its work on Tuesday, September 27, 2011, by unanimously approving this Final Report of Redistricting.

REDISTRICTING OVERVIEW

Redistricting is the process by which legislative district boundaries are redrawn to reflect changes in population. The goal of redistricting is to provide legislative districts that have nearly equal population. Districts with similar residential populations mean that voters enjoy more equal voting rights at the polls, while legislative districts with uneven populations mean that some voters enjoy enhanced voting power at the expense of others in more populous districts.

For the vast majority of states and local governments, redistricting is done after each United States census. The Orlando City Charter provides that “[t]he City Council shall, by Ordinance adopted by a majority vote of all members of the City Council, redesignate the boundaries of each district after each decennial census conducted by the United States Government.” Sec. 4-1(b), Ch. 2, Orlando City Charter.

Since 1980, the City of Orlando has been governed by a City Council comprised of six commissioners, each being elected from one single-member district, along with one Mayor-Commissioner elected at-large.

The importance of redistricting is evident when one compares population figures from each district over time. **Table 2** depicts the population of each of the six City commission districts as of the last redistricting in 2001.

TABLE 2

	2000 CENSUS POPULATION	2001 REDISTRICTING PLAN
City Wide	188,199	188,478
District 1	35,469	31,854
District 2	31,550	31,256
District 3	28,646	31,045
District 4	19,294	31,672
District 5	28,095	32,005
District 6	45,145	30,646

Table 3 shows the population for each of the same districts as of Census Day 2010.

TABLE 3

	2000 CENSUS POPULATION	2001 REDISTRICTING PLAN	2010 CENSUS POPULATION
City Wide	188,199	188,478	238,916
District 1	35,469	31,854	52,980
District 2	31,550	31,256	30,033
District 3	28,646	31,045	39,003
District 4	19,294	31,672	44,605
District 5	28,095	32,005	32,678
District 6	45,145	30,646	39,617

Over this past decade, the total population of Orlando grew by more than 50,000 people; a more than 26% increase, making Orlando the fastest growing big city in Florida. This growth, of course, was unevenly divided across the City, with District 1 in southeast Orlando leading all districts by growing more than 65% in population.

The result is that the City’s largest district as of Census Day 2010 is District 1 with a total population of 52,980 persons. The smallest district as of Census Day 2010 is District 2 with 30,033 persons. This disparity of about 23,000 people between Districts 1 and 2 means that the people of District 1 would suffer a substantial diminution of voting rights when compared with voters of District 2. In other terms, the maximum population deviation between the City’s districts as of Census Day 2010 is about 58%; far in excess of the commonly accepted maximum lawful deviation of approximately 10%.

REDISTRICTING OVERVIEW (CON'T)

The driving purpose behind the City's redistricting effort is to adjust the six commission district boundaries so that each district is far closer to equal in population, and thereby deliver on the Constitutional guarantee of "one person, one vote."

In addition to the notably uneven population growth throughout the City (see **Table 4**), the City's racial and ethnic communities also grew and moved around the City at varied rates, continuing the City's historic trend towards increased diversity.

TABLE 4

	2001 REDISTRICTING PLAN	2010 CENSUS POPULATION	POPULATION CHANGE	% CHANGE
City wide	188,478	238,916	50,438	26.76%
District 1	31,854	52,980	21,126	66.32%
District 2	31,256	30,033	-1,223	-3.91%
District 3	31,045	39,003	7,958	25.63%
District 4	31,672	44,605	12,933	40.83%
District 5	32,005	32,678	673	2.10%
District 6	30,646	39,617	8,971	29.27%

Table 5 shows each district’s racial and ethnic populations as of redistricting in 2001 and as of Census Day 2010. The table also shows the relative growth or decline of each community as a percentage of their district total.

TABLE 5

	2001 WHITE		2010 WHITE		% CHANGE
City Wide	114,629	60.82%	137,576	57.58%	-3.23%
District 1	24,627	77.31%	37,314	70.43%	-6.88%
District 2	22,164	70.91%	20,781	69.19%	-1.72%
District 3	23,199	74.73%	25,971	66.59%	-8.14%
District 4	25,763	81.34%	31,582	70.80%	-10.54%
District 5	8,554	26.73%	7,547	23.10%	-3.63%
District 6	10,322	33.68%	14,381	36.30%	2.62%

	2001 BLACK		2010 BLACK		% CHANGE
City Wide	50,954	27.03%	66,966	28.03%	0.99%
District 1	2,756	8.65%	5,709	10.78%	2.12%
District 2	2,918	9.34%	3,411	11.36%	2.02%
District 3	5,473	17.63%	9,764	25.03%	7.40%
District 4	2,188	6.91%	7,679	17.22%	10.31%
District 5	20,225	63.19%	21,731	66.50%	3.31%
District 6	17,394	56.76%	18,672	47.13%	-9.63%

	2001 HISPANIC		2010 HISPANIC		% CHANGE
City Wide	33,150	17.59%	60,713	25.41%	7.82%
District 1	8,182	25.69%	20,238	38.20%	12.51%
District 2	12,190	39.00%	16,130	53.71%	14.71%
District 3	2,315	7.46%	3,817	9.79%	2.33%
District 4	4,833	15.26%	10,303	23.10%	7.84%
District 5	3,079	9.62%	4,254	13.02%	3.40%
District 6	2,551	8.32%	5,971	15.07%	6.75%

THE LEGAL REQUIREMENTS OF REDISTRICTING

The leading legal requirement of redistricting is to create single-member legislative districts with populations as nearly equal as practicable. This principle of “one person, one vote” stems primarily from a series of United States federal court cases beginning with United States Supreme Court case of *Baker v. Carr* in 1962. Two years later, in the seminal case of *Reynolds v. Sims*, the United States Supreme Court held that Alabama state senate districts with widely varying populations violated the U.S. Constitution’s 14th Amendment Equal Protection Clause. In that case, the Court found that:

The right of suffrage can be denied by a dilution of the weight of a citizen’s vote just as effectively as by wholly prohibiting the free exercise of the franchise.

Since these early federal cases, virtually countless state and federal court cases have grappled with a variety of redistricting issues. Particular attention has been paid to questions relating to what extent may population figures deviate from one legislative district to another within the same political jurisdiction and what principles other than population equality may local governments apply to assist in their redistricting efforts. This accumulated body of law is recognized by section 4-1(d), Chapter 2, Orlando City Charter, which requires that the decennial “redesignation of district boundaries shall be in accordance with the Constitutions of the State of Florida and of the United States of America.”

The Council resolution establishing the board also set forth a series of rules and guiding principles for the board to apply when crafting a plan for redistricting. It required the board to submit “a plan for redistricting each of the City’s six commission districts into districts of contiguous territory as nearly equal in population as practicable.” The resolution also reiterated that the board “consider and abide by all applicable federal, state, and local laws relating to redistricting....”

Based on all of these requirements, the board’s recommended plan must conform to the following standards and body of law:

1. The U.S. Constitution, including case law interpreting the meaning and application of the U.S. Constitution to local redistricting efforts.
2. The Florida Constitution, including case law interpreting the meaning and application of the Florida Constitution to local redistricting efforts.
3. Each of the six districts contains only contiguous territory.
4. Each of the six districts is as nearly equal in population as practicable.
5. Federal statutory law, including case law interpreting the meaning and application of such statutes to local redistricting efforts. The U.S. Voting Rights Act of 1965 is particularly noteworthy in this regard.
6. Florida statutory law, including case law interpreting the meaning and application of such statutes to local redistricting efforts.
7. The Orlando City Charter and Code.

Throughout the board’s work, the City Attorney’s Office provided guidance and advice on these standards and the large body of law impacting local redistricting efforts.

THE GUIDING PRINCIPLES OF REDISTRICTING

The resolution also set forth the following six principles to help guide the board in its work. These principles are traditional redistricting guidelines that are common policy goals of many local governments when undertaking a redistricting effort.

1. Create compact districts.

Compact districts enjoy several advantages over sprawling snake-like districts.

Some of the advantages include:

- a. Easier to depict on maps of the City.
- b. Easier travel for elected officials and candidates for office.
- c. Easier for citizens, businesses, and interest groups to understand.
- d. More likely to unify communities of common interest.
- e. Less likely to gerrymander for unlawful or undesirable purposes.

2. Avoid favoring or disfavoring any political party.

This principle was borrowed from similar provisions in Article III, sections 20 and 21 of the Florida Constitution, both of which were approved by more than 62% of the Florida electorate in November of 2010. The board did not consider voter registration data during its deliberations.

3. Draw district boundaries along streets and natural boundaries.

District boundaries that follow public streets and natural boundaries are easier for constituents, elected officials, and City staff to understand. Streets are often the natural boundaries between neighborhoods and other communities of interest. The Recommended Plan for Redistricting uses public streets as the dividing line between districts throughout the vast majority of the plan.

4. Keep neighborhoods together within a single district.

Keeping neighborhoods together within a single district was possibly the most common testimony submitted to the board by the citizens of Orlando. It is evident to the board that neighborhoods form the bedrock of community identity in Orlando and neighborhood leaders from throughout the City delivered a very clear message that neighborhoods often believe that they can more readily achieve their goals by building relationships with a single City commissioner.

Some neighborhoods worried that being split between commission districts could dilute their influence with their Council representative or result in “buck-passing” between multiple representatives.

Keeping neighborhoods together was a central theme not only amongst the public, but also with members of the board. The board worked hard to identify the geographic, social, and economic contours of each of Orlando's more than 100 recognized neighborhoods. Neighborhoods in Orlando range widely in terms of population however. Some include few, if any, residences, while at least five have populations of about 10,000 people or more (College Park with 11,140, Florida Center North with 10,617, Metro West with nearly 20,000, Rosemont with 9,967, and Vista East with 10,491).

Such large populations meant that not every neighborhood could be kept within only one commission district, but the board spent considerable time identifying sensible boundaries where neighborhoods could not be kept wholly within one district or where other countervailing public policy goals outweighed the public's or board's desire to keep neighborhoods together in one district.

5. Keep communities of interest together within a single district.

The board took extra care during public testimony to solicit the identification of communities of common interest that should be kept together within a single district. For many of the same reasons that neighborhoods often expressed a desire to be in a single district, other communities with similar interests often viewed being kept in a single commission district as a key strategy for advancing their respective interests with their local government.

While neighborhoods clearly represent the most obvious and tangible communities of common interest, other communities of common interest identified by the public include historic preservation districts, Orlando Main Street areas, commercial corridors, master planned communities, both commercial and residential, areas of a common suburban or urban characteristic, and areas centered around a prominent natural feature such as a lake or a community park.

6. Maintain the core areas of prior districts.

Rather than start completely anew, the board and each of the subcommittees began drafting proposed plans by reference to the City's existing district boundaries. The board also solicited testimony from the public on which neighborhoods should be considered "core areas of prior districts." Together, these efforts sought to disturb existing and historic district boundaries as little as possible.

PUBLIC ENGAGEMENT

In its resolution establishing the board, the Orlando City Council demanded “that the City redistricting process [] be conducted in an open, honest, public, and fair manner in which the citizens of Orlando enjoy the right to observe and participate in a meaningful way.”

The board and its staff worked hard to meet its responsibility to conduct its work in a transparent manner that encouraged public observation and input. While Florida’s Sunshine Law and the City of Orlando’s Policies and Procedures set a minimum standard for government transparency, the board strove to far exceed these rules.

Section 4 of the resolution required the board, before adjourning its second meeting, to adopt a schedule of regular meetings, including times and locations, and to adopt a “communications plan designed to widely disseminate the board’s activities amongst the media and public.”

Key elements of the adopted Communications Plan included:

- The creation and maintenance of a comprehensive redistricting website.
- Distribution of board information to neighborhood organizations.
- The prompt preparation of meeting minutes; usually completed within 24 hours of the meeting.
- City staff maintained and monitored a redistricting email address and distributed emails to the members of the board.
- City staff routinely distributed redistricting information to members of the media.
- The board ran paid advertisements concerning redistricting in the Orlando Sentinel, La Prensa, and the Orlando Times.
- The board and staff produced email weekly email blasts to thousands of Orlando residents.

The board’s Communications Plan is included in this report as Appendix “B.” Included in this appendix is a Communications Plan Compliance Report.

The board’s meeting schedule, meeting agendas, and meeting minutes are included in this report as Appendices “C,” “D,” and “E,” respectively.



THE SUBCOMMITTEES

At its first meeting, held on Tuesday, July 12, 2011, each board member was assigned to one of three subcommittees. The subcommittees were tasked with meeting with City staff and drafting maps for consideration by the full board. All meetings of the subcommittees were noticed and held in accordance with Florida's Sunshine Law and City Policy and Procedure. Each meeting was also noticed on the board's website.

The subcommittee meetings were informal, casual, and dynamic opportunities for the board members and interested members of the public to work collaboratively with the redistricting mapping software. Indeed many, probably most, elements of the Recommended Plan for Redistricting were generated cooperatively amongst the subcommittee members, neighborhood representatives, and other interested citizens.

The subcommittees were comprised as follows:

Subcommittee #1

Angel Colon
John Cabrera
Stephanie Howell

Subcommittee #2

Cleave Frink
Sarah Kelly
Tanya Juarez Wilder

Subcommittee #3

Wayne Rich
Jacqueline Barr
Bishop Wiggins

The subcommittees' meeting schedules and meeting minutes are included in this report as Appendices "F" and "G," respectively.

ACCEPTED PLANS OF REDISTRICTING

During its deliberations, the board and each of the subcommittees reviewed and considered many proposed plans for redistricting. Each subcommittee was tasked with producing proposed plans and members of the public were invited to produce proposed plans with the assistance of City technical staff. Individual board members also used the redistricting software to formulate proposals.

Once drawn, City staff produced a detailed demographic table for each proposed map. The tables provided racial and ethnic population percentages for each newly proposed district along with total population figures and deviation percentages between the six districts. Proposals were then presented to the board by the responsible subcommittee, board member, or member of the public.

Each proposed plan of redistricting that was approved by the board for further consideration is included within this report as Appendix "H."

Proposed plans that were presented to and considered by the board, but not accepted for further consideration, are included within this report as Appendix "I."