

**SUWANNEE COUNTY BOARD OF COUNTY COMMISSIONERS
JUDICIAL ANNEX BUILDING
218 PARSHLEY STREET SOUTHWEST
LIVE OAK, FLORIDA 32064**

**AGENDA FOR SPECIAL MEETING ON RESOLUTION TO
APPROVE COMMISSIONER DISTRICT BOUNDARIES ON AUGUST 15, 2023 AT
5:35 P.M. OR AS SOON THEREAFTER AS CAN BEGIN**

AGENDA ITEMS:

1. Consideration of A Resolution of the Board of County Commissioners of Suwannee County, Florida Setting the Boundaries of the County Commissioners' Districts for Suwannee County, Florida.

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A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SUWANNEE COUNTY, FLORIDA SETTING THE BOUNDARIES OF THE COUNTY COMMISSIONERS' DISTRICTS FOR SUWANNEE COUNTY, FLORIDA.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SUWANNEE COUNTY, FLORIDA, THAT:

1. **AUTHORITY.** Pursuant to Section 124.01, Florida Statutes, the Board of County Commissioners (the "BOARD"), of Suwannee County (the "COUNTY"), Florida is authorized and directed to, from time to time, fix the boundaries of the county commissioners' districts in the COUNTY so as to keep them as nearly equal in proportion to population as practicable. This resolution is adopted by the BOARD pursuant to Section 124.01, Florida Statutes and all other applicable authority including, but not limited to, the BOARD's home rule powers under Section 125.01, Florida Statutes.

2. **FINDINGS.** The BOARD finds that:

- a. In *Mayhue v. Suwannee County Florida*, Middle District of Florida Case No: 84-1103-Civ-J-16 the BOARD entered into a stipulated Final Judgment whereby the COUNTY was to be divided into five districts and District 2 was drawn to be majority-black in accordance with section 2 of the Voting Rights Act; and
- b. The BOARD hired Kurt Spitzer, an expert in redistricting, to draw proposed district lines in accordance with accepted redistricting principles and to maintain a majority black population of District 2, if possible, in accordance with the *Mayhue* order; and,
- c. Mr. Spitzer prepared multiple maps and the BOARD adopts map ALTERNATIVE 3B-1(a) (the "MAP") as the new district boundaries. The districts outlined in the MAP have a population deviation of 10.27%, which exceeds the normally acceptable deviation of under 10%; and,
- d. To justify the excessive population deviation, the BOARD adopts Mr. Spitzer's findings dated July 24, 2023, that the MAP "maintain[s] as high a percentage of African American population in District 2 as is realistically possible in furtherance of the goals of the Voting Rights Act and, (to the extent possible) attempting to abide by the general intent of the Court's 1985 Order, given the changes in demographic patterns in Suwannee County over the past 38 years." Mr. Spitzer's letter is attached to this resolution and is fully incorporated as findings of the BOARD; and,

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- e. The county commissioners districts described herein divide the COUNTY into five county commissioners' districts;
- f. The county commissioners' districts described herein are as nearly equal in proportion to the population as is practicable given the circumstances of the COUNTY; and
- g. It is necessary to make the changes to the boundaries of the county commissioners' districts as set out herein so they will be as nearly equal in proportion to population as is practicable given the circumstances of the COUNTY.

3. THE COUNTY COMMISSIONERS' DISTRICTS. The boundaries of the commissioners' districts shall be in accordance with MAP which is attached hereto and hereby incorporated. In the event there is a conflict between the boundaries shown in the MAP and the description contained below, the boundary of the MAP shall be the boundary. In accordance with the MAP, the boundaries of the commissioners' districts for the COUNTY shall hereafter be as follows:

The boundaries for District 1 are changed to be:

The Point of Beginning being the intersection of 88th Street and the Suwannee-Madison County line, proceed along the county line in a northerly and then easterly direction to the intersection of the county line and Highway 129, then proceed in a southerly direction along Highway 129 until the intersection with 72nd Trace NW, then proceed in a westerly direction along 72nd Trace NW until the intersection with County Road 795, then proceed in a southerly direction along County Road 795 until the intersection with the Emergency Service Boundary, then follow said boundary line in a westerly direction, then south in line with the Emergency Service Boundary until the intersection with US Highway 90, then proceed in a westerly direction along US Highway 90 to until the intersection with 133rd Road, then proceed in a southerly direction along 133rd Road until the intersection with 80th Terrace, then proceed in an easterly direction along 80th Terrace to the intersection with Goldkist Boulevard SW, then proceed southerly direction along Goldkist Boulevard SW until the intersection with 11th Street SW, then proceed in an easterly direction along 11th Street SW until the intersection with Irvin Avenue SW, then proceed in a southwesterly direction along Irvin Avenue SW until the intersection with 104th Street, then proceed in a westerly along 104th Street until the intersection with 147th Road, then proceed in a northerly direction along 147th Road until the intersection with Highway 136, then proceed in a westerly direction along Highway 136 until it becomes 88th Street, then continue in a westerly direction along 88th Street to the intersection with the Suwannee-Madison County line and the Point of Beginning.

The boundaries for District 2 are changed to be:

The Point of Beginning being the intersection of Interstate 10 and US Highway 129, proceed in an easterly direction along Interstate 10 to where 95th Place would intersect with Interstate 10 if it continued to Interstate 10, then follow the path of 95th Place if it

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intersected with Interstate 10 South in a straight line to where 95th Place would intersect with 86th Street if it continued to 86th Street, then proceed along 86th Street in an easterly direction until the intersection with 93rd Road, then proceed in a southerly direction along 93rd Road to the intersection with the Emergency Service Boundary, then proceed in a westerly direction along said Emergency Service Boundary until the intersection with County Road 49, then proceed in a southerly direction along County RD 49 until the intersection with 104th Street, then proceed in an easterly direction along 104th Street to the intersection with the NE ¼ of the NW ¼ of Section 5, Township 3S, Range 14E, follow section line in a southerly direction to its intersection with 114th Terrace. Then proceed in a westerly direction along 114th Terrace until the intersection County Road 49, then proceed in a northerly direction along County Road 49 until the intersection with 112th Street, then proceed in a westerly direction along 112th Street until the intersection with US Highway 129, then proceed in a northerly direction along US Highway 129 to the intersection with the boundary with the City of Live Oak, then follow the City limits in a westerly direction until the City limits turn northward and intersects with Irvin Ave SW, follow Irvin Ave SW, then proceed in a northeasterly direction along Irvin Avenue SW until the intersection with 11th Street SW, then proceed in a westerly direction along 11th Street SW until the intersection with Goldkist Boulevard SW, then proceed in a northerly direction along Goldkist Boulevard SW until the intersection with 80th Terrace, then proceed in a westerly direction along 80th Terrace until the intersection with 133rd Road, then proceed in a northerly direction along 133rd Road until the intersection with US Highway 90, then proceed in an easterly direction along US Highway 90 until the intersection with Emergency Services Boundary, then follow said boundary in a northerly direction and then easterly direction until the intersection with County Road 795, then proceed in a northerly direction along County Road 795 until the intersection with 72nd Trace NW, then proceed in an easterly direction along 72nd Trace NW until the intersection with US Highway 129, then proceed in a northerly direction along US Highway 129 until the intersection with Interstate 10 and the Point of Beginning.

The boundaries for District 3 are changed to be:

The Point of Beginning being the intersection of 88th Street and the Suwannee-Madison County line, proceed in an easterly direction along 88th Street until it becomes County Road 136, then continue in an easterly direction along County Road 136 until the intersection with 147th Road, then proceed in a southerly direction along 147th Road until the intersection with 104th Street, then beginning in a easterly direction, follow 104th Street until the intersection with State Road 51, then follow State Road 51 in a northeasterly direction until it intersects with the limits of the City of Live Oak, then follow said city limits South , then East until the intersection with US Highway 129, then proceed in a southerly direction along US highway 129 until the intersection with 99th Lane, then proceed in a southerly direction along 99th Lane until the intersection with 168th Street, then proceed in a westerly direction along 168th Street until the intersection with 129th Road, then proceed in a southerly direction along 129th Road until the intersection with 208th Street, then proceed in a westerly direction along 208th Street until it intersects with the Emergency Services Boundary. Follow said boundary south, then proceed in a southerly direction until the intersection with the Suwannee-Lafayette

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County line, then beginning a a clockwise direction, follow the Suwannee County line to the intersection with 88th Street and the Point of Beginning.

The boundaries for District 4 are changed to be:

The Point of Beginning being the intersection of Highway 129 and the Hamilton-Suwannee County line, begin by proceeding in an easterly direction along the county line, continuing to the intersection with the Columbia County line, then follow the Columbia County line south until the intersection of 224th Street, then proceed in a westerly direction along 224th Street until the intersection with 43rd Drive, then proceed in a northerly direction along 43rd Drive until the intersection with 216th Street, then proceed in a westerly direction along 216th Street until the intersection with 57th Road, then proceed in a northerly direction along 57th road to the intersection with 192nd Street, then proceed in an easterly direction along 192nd Street to the intersection with Central Road, then beginning in a northwesterly direction, follow Central Road until it intersects with County Road 49, then proceed in a southerly direction along County Road 49 until the intersection with 192nd Street, then proceed in a westerly direction along 192nd Street until the intersection with 69th Drive, then proceed in a northerly direction along 69th Drive until the intersection with 180th Street, then proceed in a westerly direction along 180th Street until the intersection with 73rd Road, then proceed in a northerly direction along 73rd Road until the intersection with 172nd Street, then proceed in an easterly direction along 172nd Street until the intersection with County Road 49, then proceed in a northerly direction along County Road 49 until the intersection with County Road 252, then proceed in a westerly direction along County Road 252 until the intersection with US Highway 129, then beginning in a northwesterly direction, follow US Highway 129 until the intersection with 112th Street, then proceed in an easterly direction along 112th Street until the intersection with County Road 49, then proceed in a southerly direction along County Road 49 until the intersection with 114th Terrace, then proceed in an easterly direction along 114th Terrace until the intersection with the NE 1/4 of the NW 1/4 of Section 5, Township 3S, Range 14E, then proceed in a northerly direction along said section line until the intersection with 104th Street, then proceed in a westerly direction along 104th Street until the intersection with County Road 49, then proceed in a northerly direction along County Road 49 intersection with the Emergency Services Boundary, then follow said boundary East until the intersection with 93rd Road, then proceed in a Northerly direction until the intersection with 86th Street, then proceed in a westerly direction along 86th Street until the intersection with 95th Place if it extended south, then follow said line along 95th Place and continuing on to the intersection with Interstate 10 if 95th Place extended to Interstate 10, then proceed in a westerly direction along Interstate 10 until the intersection with US Highway 129, then proceed in a northerly direction along US Highway 129 to the intersection with the Hamilton-Suwannee County line and the Point of Beginning.

The boundaries for District 5 are changed to be:

The Point of Beginning being the intersection of 224th Street and the Suwannee-Columbia County line, proceed in a westerly direction along 224th Street until the intersection with

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43rd Drive, then proceed in a northerly direction along 43rd Drive until the intersection with 216th Street, then proceed in a westerly direction along 216th Street to the intersection with 57th Road, then proceed in a northerly direction along 57th Road to the intersection with Central Road, then beginning in an easterly direction follow Central Road until it intersects with County Road 49, then proceed in a southerly direction along County Road 49 until it intersects with 192nd Street, then proceed in a westerly direction along 192nd Street until it intersects with 69th Drive, then proceed in a northerly direction along 69th Drive until it intersects with 180th Street, then proceed in a westerly direction along 180th Street until it intersects with 73rd Road, then proceed in a northerly direction along 73rd Road until it intersects with 172nd Street, then proceed in an easterly direction along 172nd Street until it intersection with County Road 49, then proceed in a northerly direction along County Road 49 until it intersects with County Road 252, then proceed in a westerly direction along County Road 252 until it intersects with US Highway 129, then proceed in a southeasterly direction along US Highway 129 until the intersection with 99th Lane, then proceed in a southerly direction along 99th Lane until the intersection with 168th Street, then proceed in a westerly direction along 168 Street until the intersection with 129th Road, then proceed in a southerly direction along 129th Road until the intersection with 208th Street, then proceed in a westerly direction along 208th Street, until it intersects with the Emergency Services Boundary. Follow said boundary south, then proceed in a southerly direction until the intersection with the Suwannee-Lafayette County line, then beginning in an easterly direction, follow the county line to the intersection with 224th Street and the Point of Beginning.

4. DIRECTIONS TO THE CLERK. The clerk is hereby authorized and directed to:
- a. Enter this resolution upon the minutes of the BOARD meeting where it was adopted [Section 124.02(1), Florida Statutes];
 - b. Publish a certified copy of the minutes of the meeting where this resolution was adopted at least once each week for 2 consecutive weeks (two publications being sufficient) in a newspaper published in the COUNTY [Section 124.02(1), Florida Statutes];
 - c. Attach the proof of such publication to the minutes of the meeting where this resolution was adopted [Section 124.02(3), Florida Statutes];
 - d. Forthwith furnish the Department of State with a certified copy of the minutes of the meeting where this resolution was adopted [Section 124.03, Florida Statutes, and
 - e. Record a description of the boundaries of the county commissioners' districts as set out herein in its office in a book kept for that purpose [Section 124.03, Florida Statutes].

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5. REPEAL OF CONFLICTING RESOLUTIONS. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

6. SEVERABILITY CLAUSE. It is declared to be the intent of the BOARD that if any section, subsection, sentence clause, phrase, or portion of this resolution is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holdings shall not effect the validity of the remaining portions hereof.

7. EFFECTIVE DATE. This resolution shall become effective upon adoption or as soon as otherwise allowed by law.

PASSED AND DULY ADOPTED in regular session with a quorum present and voting, by the Board of County Commissioners this _____ day of _____, 2023.

Attest:

BOARD OF COUNTY COMMISSIONERS OF
SUWANNEE COUNTY, FLORIDA

Barry A. Baker
County Clerk

Franklin White
Chairperson

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Via Electronic Mail

MEMORANDUM

TO: Honorable Members of the County Commission
and School Board
Suwannee County, Florida

FROM: Kurt Spitzer

DATE: July 24, 2023

RE: Redistricting Commission Districts

Attached please find a map and table of statistics for redistricting Alternative 3B-1. Alternative districting plan 3B-1 is based off of Alternative 3, which was discussed during the recent joint workshop meeting of the Suwannee County Board of County Commissioners and School Board. The direction given at that meeting was to revise Alternative 3 so as to increase the percentage of African Americans within District 2 as may be possible.

To our knowledge, Suwannee County has not redistricted itself since 1992, which was the only time such an exercise has been undertaken since the 1985 order of the Federal Court, which required single member districts for Suwannee County and appended a districting map that created a minority-majority district (55% African American) in District 2.

The countywide African American population in 1985 was over 17%. The countywide African American population based on 2020 census data is less than 11%, making it impossible to maintain a minority-majority district in Suwannee County.

Using the 2020 Census data and the existing district boundaries, District 2 currently has an African American population of 36%. But the total population of District 2 is 35% under the average or ideal district size of 8,299 people. Approximately 2,900 people must therefore be added to District 2 to bring its total size close to the average but making maintenance of the current percentage (36%) of African Americans living within the district impossible.

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Using the 2020 Census data, the African American population in District 2 of 32% in Alternative 3. Alternative 3B-1 has an African American population of 33.4% in District 2, which we believe is the highest percentage that can realistically be achieved. The intent of Alternative 3B-1 is to keep the African American population of District 2 as high as possible, while complying with other common redistricting criteria.

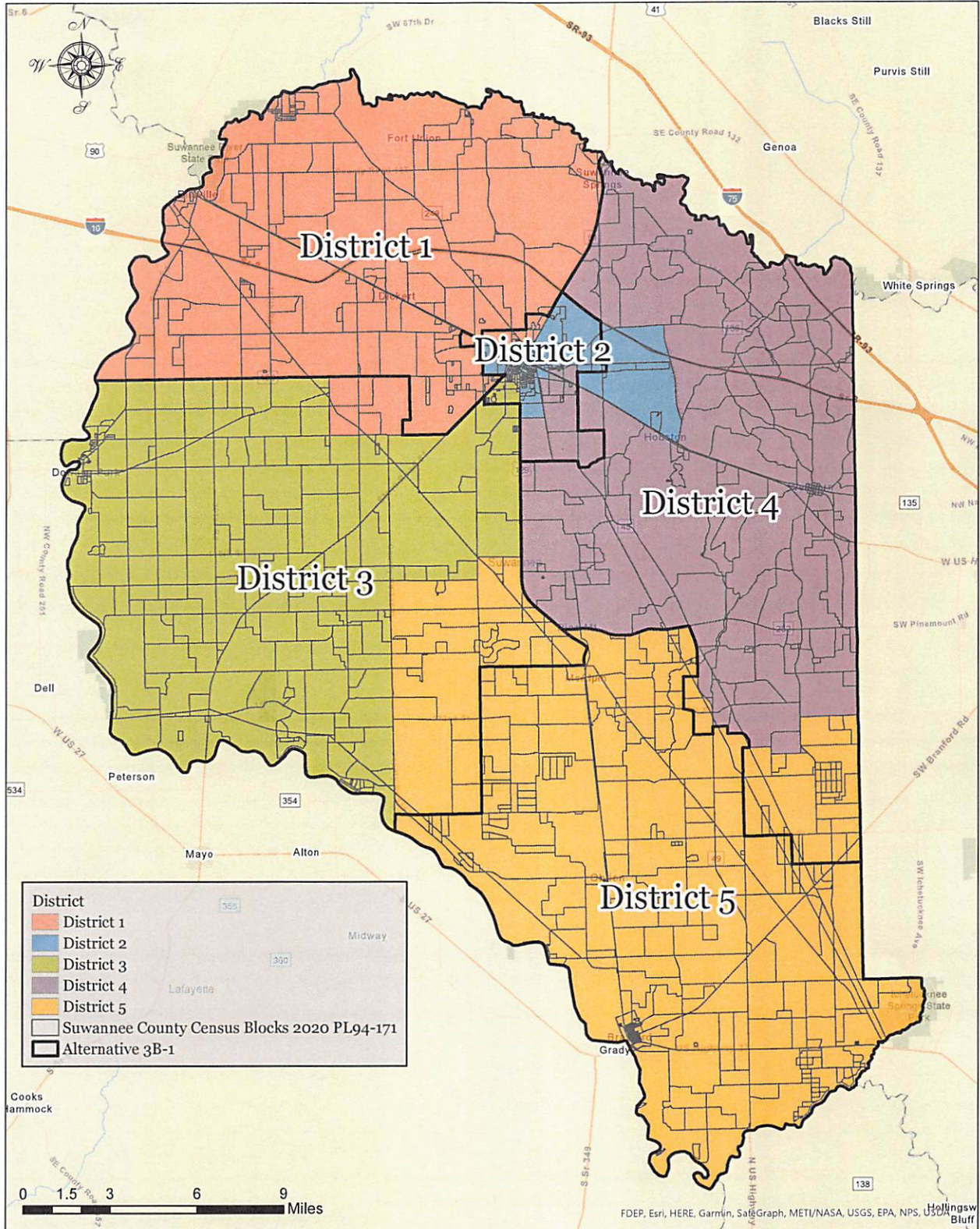
While Alternative 3 has a spread between the largest and smallest districts of 7.15 points, 3B-1 has a spread of 10.24 points. While this (minimally) exceeds the generally accepted threshold of 10 points, I believe that such a slight divergence from common population standards is acceptable based on legitimate considerations furthering other rational policies - in this case the expressed intent of the legislative bodies of the County and School District, maintaining as high a percentage of African American population in District 2 as is realistically possible in furtherance of the goals of the Voting Rights Act, and (to the extent possible) attempting to abide by the general intent of the Court's 1985 Order, given the changes in demographic patterns in Suwannee County over the past 38 years.

Please contact me should you have any questions.

Attachments



Alternative 3B-1(a) County Commission Districts



DISTRICT	2020 Population IDEAL	2020 Population ACTUAL	Population Deviation	Percent Deviation	Population White	Percent White	Population Black	Percent Black	Population Other	Percent Other	Population Hispanic	Percent Hispanic
District 1	8,299.00	8429	130.00	1.6%	6883	82%	624	7%	922	11%	871	10%
District 2	8,299.00	7655	-644.00	-7.8%	3755	49%	2555	33%	1345	18%	1407	18%
District 3	8,299.00	8413	114.00	1.4%	7027	84%	323	4%	1063	13%	967	11%
District 4	8,299.00	8507	208.00	2.5%	7016	82%	739	9%	752	9%	574	7%
District 5	8,299.00	8491	192.00	2.3%	7355	87%	321	4%	815	10%	728	9%
Totals	41,495	41495	0	0	32036	-	4562	-	4897	-	4547	-