

1 **MINUTES OF THE WORKSHOP MEETING** of the City Council of the City of Orange City, Florida,
2 held on Monday, May 18, 2009 at 7:00 p.m. in Council Chambers, 201 N. Holly Avenue, Orange City.

3
4 **CALL TO ORDER**

5
6 The Meeting was called to order at 7:00 p.m. by Mayor Strickland and roll call was taken.

7
8 **ROLL CALL**

9
10 **PRESENT:** Mayor Harley Strickland; Vice Mayor Jeff Allebach; Council Members; Tom Laputka, Tom
11 Abraham, Don Sherrill, Paul Rasch; Jim Mahoney; City Attorney William Reischmann; Interim City
12 Manager Chester Murray; City Clerk Deborah Renner

13
14 **1. DISCUSS REVISED RASCH “MAP A”**

15
16 City Clerk Debbie Renner began her presentation by recalling the direction Council had given to staff at
17 the last meeting. She noted that they were instructed to create two new maps and she displayed the first
18 of those which was the one where the narrow yellow area that had been protruding into the green was
19 changed to become part of the green district. Ms. Renner advised that this change had been made to both
20 maps as directed. The second change requested was to relocate Sherwood Oaks and Country Village into
21 separate districts by splitting the area between them so that one remains in the red and one becomes part
22 of the purple. Ms. Renner displayed a new map effecting that change. She noted that this change put the
23 population figures out of balance. In response to a question from Council Member Laputka, Ms. Renner
24 advised that the population for the purple zone in the map that splits Sherwood Oaks and Country Village
25 is 2218, while the red population has decreased to 1685.

26
27 Council Member Rasch recalled that he had predicted this issue at the last meeting when this suggestion
28 first came up. He suggested that population would have to be moved from the orange district to
29 supplement the red. Council Member Mahoney stated, “I thought that’s what we asked for.” Ms. Renner
30 advised that if Council decides to act on the map that separates the two developments, discussions could
31 begin on the moves necessary to balance the population.

32
33 In response to a question from Mayor Strickland, Wendy Hickey, Planning and Zoning Analyst, came
34 forward and described the boundaries for each of the districts, noting them on the large map.

35
36 Mayor Strickland noted that Vice Mayor Allebach lives in the yellow district; Council Members
37 Abraham, Sherrill, Rasch, and Mahoney live in the red district. No one lives in the Orange district and
38 no one lives in the purple district. Council Member Laputka and Mayor Strickland live in the green
39 district. Ms. Hickey concurred and noted that the current Council Members live as follows: two are in
40 the green district; one is in yellow; and four are in red.

41
42 Council Member Sherrill noted that moving Sherwood Oaks to the Blue district would give them
43 representation where there isn’t any now.

44
45 Council Member Rasch noted that if Sherwood Oaks was moved out of the Red district, the Orange
46 district would also have to be adjusted to make up for the difference. He stated that he was the

1 Chairperson for the Charter Review Committee. The Committee was in agreement to make a
2 recommendation to the Council for election by districts, with five districts and two at-large members. He
3 said that the reason was because the districts should represent the people within. He said that it would be
4 feasible to go door to door in a district and meet every voter living there. Council Member Rasch stated,
5 "There was no thought given at that time, or at the time that I prepared this map, to having the
6 representative go to the district. It was the district first without any thought for who lives where or
7 anything like that. That truly is gerrymandering." He credited Mr. Strickland for the work he did in
8 developing his map. He said after giving Mr. Strickland's map further consideration, he felt that it was
9 designed around the representatives instead of around the people. Council Member Rasch said that was
10 what he tried to accomplish with his map. He stated, "It's the people that need to have representation so
11 they feel that they have a voice in the City and they have somebody they can really go to that understands
12 what they're talking about because they live close to them."
13

14 Council Member Sherrill said that after listening to Council Member Rasch and thinking things over, he
15 concurred with Council Member Rasch's thoughts on the map.
16

17 Mayor Strickland asked Mr. Murray what would happen on the Council if all of the current Council
18 Members were not assigned to the district in which they live and how that would affect the "institutional
19 memory" on the Council during the transitional period. Vice Mayor Allebach said that the make-up of
20 the Council could change at any time, however, it would be rare to have 100% turnover in two election
21 cycles which could happen with the district implementation. He observed that this could mean that there
22 could be no one on the Council in 2011 with more than two years experience. Mr. Murray responded that
23 more of the "institutional memory" will come from staff. He said that it is difficult to predict the effect,
24 but when there are many new Council Members, Council needs to count on staff.
25

26 Mr. Reischmann referenced Section 4.02 of the City Charter. He noted that Districts 4, 5, and the at large
27 seat will be up for election in September. In 2011, Districts 1, 2, 3, and the Mayor. Council Member
28 Mahoney suggested drawing numbers at random to assign numbers to the Districts. He stated, "You
29 eliminate any concerns about motivations, gerrymandering...we use the compactness and
30 contiguousness criteria to establish the districts, they get numbered based on a purely random fashion and
31 no one could look back on this process and suggest it was anything but for the citizens of Orange City."
32 Mr. Reischmann advised that there would be nothing illegal about using that process. In response to a
33 request for clarification from Council, Mr. Reischmann explained that under the Charter, the seats turn
34 into districts. If the Vice Mayor is in Seat 1, he will become District 1 which is coming up for election in
35 2011. He said that Vice Mayor Allebach would be grandfathered in for his seat until 2011. The Vice
36 Mayor clarified that in 2011, he would not be able to run for District 1 unless he lives there.
37

38 Hugh Strickland, 420 May St., came forward and stated his understanding that 64% of the citizens of
39 Orange City want a person living in their district to represent them. He said that the method suggested by
40 Council Member Mahoney "would not effect what the people have desired." Council Member Mahoney
41 clarified by stating, "until the election cycle." Mr. Strickland responded that the goal could be
42 accomplished now by drawing the district maps so that each Council Member lives in a separate district.
43 He said that it would bring into effect district representation "almost immediately rather than at the end of
44 the 2011 election cycle in November."
45

1 Bob Storke, 1122 E. Wisconsin, came forward and expressed his concern that the purple and orange
2 districts have no representative at this time. He noted that if those two districts were picked as districts 4
3 and 5, there would only be two months to find someone to run for office.

4
5 Council Member Rasch stated, "I guess what we're still saying here is that what the Charter Review
6 Commission and the Council agreed to was that we wanted districts that really represented districts and
7 neighborhoods and people, doesn't count...we're going to throw that out the window and change this
8 around so that we can find someplace for everybody to land. That, to me, is despicable."

9
10 Council Member Laputka said that he had no comment at this time.

11
12 Council Member Abraham said that he had no comment at this time, but that he would like to listen to
13 some more citizens.

14
15 Al Blue, 447 N. Oak, came forward and stated that after giving the discussions some consideration, he
16 liked the current proposal best.

17
18 Mike Polgar, 585 Montclair, came forward and suggested numbering the districts from south to north.
19 Council Member Mahoney said that method runs the potential of someone favoring one plan over another
20 to an advantage. Mr. Polgar advised that he was not talking about the Council.

21
22 Council Member Rasch noted that he is in the same district as four other people. He said that he would
23 have "loved to get separated out into the blue" because then he would have been able to support John
24 Knox Village. Council Member Rasch stated, "I think John Knox gets a bad rap and needs support."

25
26 Mike Polgar came forward and noted that the districts were for the future population of the City. He
27 maintained that the numbers did not make any difference.

28
29 Mayor Strickland stated, "I don't think, personally, that picking things out of a hat and assigning a
30 number for a district is what I would like to see. I would not like to see that." He said that he could not
31 understand why that would be considered.

32
33 Council Member Mahoney reiterated that the assignment of district numbers should be for the people, not
34 for the Council. He stated that if the process used is random, no one can blame the Council for being
35 unfair. Council Member Mahoney speculated that the districts may encourage new people to run for
36 office.

37
38 Evelyn Robinson, 311 Cherokee, came forward and stated, "When we were up on the Charter
39 Commission, I don't think that we wanted to see the bickering that I see, and I'm using the term
40 bickering but it probably isn't, that's going on about this. We don't want that. I don't want it and the
41 people that I talk to don't." Ms. Robinson noted that no one knows who to go to for assistance with the
42 current system. She questioned why the City didn't hire a consultant to help with the district
43 development.

44
45 Mayor Strickland said that one of the reasons is that there is only one criteria and that a consultant would
46 want a list of criteria. Vice Mayor Allebach said that he felt a consultant would be "a waste of money."

1 Ms. Robinson stated, "Well, you waste money on consultants for everything else, so that's why I ..."
2 Mayor Strickland said that he would like to see other criteria. Ms. Robinson said that the people she has
3 talked to want to have businesses in their district, people of all socio-economic groups. Ms. Robinson
4 expressed her wish that the actions taken by Council are "not for anyone's political gain."
5

6 Vice Mayor Allebach said that he did not feel it would be a problem finding people to run. He expressed
7 that no matter what Council does, the people are going to presume it is for their own personal gain. He
8 said that is why he is in favor of using a totally random method.
9

10 Council Member Rasch reiterated that he created the map without any consideration for where each
11 Council Member lives, it was strictly based on population. He stated, "There's nothing to single out any
12 group or any criteria other than the population and trying to keep it compact, period."
13

14 Mayor Strickland asked whether Council was ready to make a decision between Map A and Map B.
15 Council Member Mahoney stated that Map B could not be considered because it does not meet the
16 population requirements since one of the districts has a population of 2218.
17

18 The Mayor asked whether Council would like to meet again tomorrow after giving staff time to make
19 changes to Map B to bring it into compliance. Council Member Mahoney stated that if the method for
20 assigning numbers to the districts is random, there is no reason to make a population change. If it is not
21 random, it means there is another criteria which staff will need in order to change the boundaries.
22 Council Member Mahoney stated that he felt tonight's meeting was not very productive because he
23 thought the map was going to be different. He stated, "What I hope we leave this meeting with is (a) the
24 criteria by which we're going to assign the numbers. If it's random, then I recommend we go with that
25 map as it is. If it is not random, then we identify the criteria and we ask staff to come back with a map
26 that reflects that criteria, otherwise, we're not going to get beyond this loop."
27

28 Vice Mayor Allebach made several suggestions for balancing the districts if Country Village and
29 Sherwood Oaks were separated. Council Member Mahoney again asked, "What's the criteria?" He
30 stressed that it was important to give clear direction to staff in regard to Map B or Council would be
31 caught in "an endless loop of discussion." Vice Mayor Allebach noted that moving Sherwood Oaks to a
32 separate district would not "cure the problem" because there would still be three Council Members in the
33 red district. He noted that the districts will be changing in two years.
34

35 Council Member Sherrill spoke in support of using the Rasch Map A.
36

37 In response to a comment from Mr. Crippen speaking from the audience, Mr. Reischmann explained that
38 the law does not require mathematical equivalency among the populations in the districts, it only requires
39 substantial equivalency which the Attorney General has ruled is plus/minus 5% from the ideal population
40 of each district.
41

42 Mayor Strickland noted that the TAZ numbers provide the closest estimates of population, but do not
43 take into account the decrease in population in the County. Ms. Hickey responded that the Schinberg
44 population for the City is 14,000. She said that staff did consider the reduction in home building and
45 made use of historical information. She said that the 10,078 figure is probably realistic.
46

1 Joe Rudolph, Executive Director, John Knox Village, came forward and expressed his support for Rasch
2 Map A, noting the compactness and contiguity. He agreed that the main consideration should be the
3 formation of good districts, rather than trying to keep each seated Council Member in a district. Mr.
4 Rudolph noted that the purple area does not have a representative at present. He questioned how the
5 districts will be numbered. Council Member Mahoney discussed how the transitional period will affect
6 the current Council Members. Mr. Rudolph noted that in the purple district, it is conceivable that there
7 would not be a Council Member living in that district for two years which means that the people living
8 there won't be represented. Council Member Rasch stated, "Yes, theoretically, you'd only have 'three
9 people' but in reality, I would certainly hope that anybody who actually occupied a seat up here...you'd
10 still have seven people because they care about Orange City." Mr. Rudolph said he felt that Council was
11 "on the right track."

12
13 Mayor Strickland asked Council if they wanted to make a decision on a map tonight. The general
14 consensus was that they did. Mayor Strickland advised that there are two choices available in the Rasch
15 Maps A and B, as well as the two maps submitted previously by Hugh Strickland. Council Member
16 Mahoney disagreed stating that the second map does not meet the legal requirements. Vice Mayor
17 Allebach said that even though it is incorrect, it is still a choice.

18
19 Council Member Mahoney said that he is in favor of Rasch Map A. Council Member Rasch supported
20 his Map A. Council Members Laputka and Sherrill concurred. Council Member Abraham said that he
21 supports Hugh Strickland's Map A.

22
23 **The majority of the Council were in support of Paul Rasch's Map A.**

24
25 **2. ASSIGN DISTRICT NUMBERS**

26
27 Council Member Rasch agreed with Council Member Mahoney's suggestion of drawing the numbers for
28 each district at random.

29
30 **It was the consensus of Council to draw numbers for the district**
31 **assignments from a hat.**

32
33 Council Member Mahoney proposed that the numbers one through five be put on individual pieces of
34 paper, then the colors be alphabetized and a number drawn for each color.

35
36 Mayor Strickland asked the Police Officer in the back of the room to draw the numbers.

37
38 Ms. Renner put slips of paper with the numbers 1-5 into a container.

39
40 The number drawn for the color green was 4.

41 The number drawn for the color orange was 1.

42 The number drawn for the color purple was 5.

43 The number drawn for the color red was 3.

44 The number drawn for the color yellow was 2.

45

1 Mayor Strickland noted that two additional meetings were already scheduled and asked Mr. Murray if
2 there was any business that needs to be addressed. Mr. Murray responded there was not. Mr.
3 Reischmann said that he would develop the ordinance establishing the districts, but that he would rely on
4 Development Services and the City Clerk to write the legal descriptions. Ms. Renner said that the
5 ordinance would not be ready for the May 26th meeting, however, it would be scheduled for the first
6 meeting in June.

7
8 In response to a request from the audience, Ms. Renner read the number assigned to each colored district.

9
10 The two additional meetings which had been scheduled for May 19, and May 20 were cancelled since the
11 work on districts was completed.

12
13 **3. ADJOURN:**

14
15 There being no further business, Mayor Strickland adjourned the meeting at 8:03 p.m.

16
17 **RESPECTFULLY SUBMITTED:**

APPROVED ON:

18
19
20
21 Deborah J. Renner, CMC
22 City Clerk

June 09, 2009