



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## New Business - Miscellaneous

J.3.

11/9/2021

### Subject:

Approval, Adoption and Advertisement, Re: Recommendation of Redistricting Committee and Legal Description for the Commission District Boundaries

### Fiscal Impact:

Approximately \$6500 for the cost of advertisement of the Commission District legal boundaries, description, minutes and map.

### Dept/Office:

Brevard County Redistricting Committee

### Requested Action:

It is requested that the Board consider the recommendation of the Redistricting Committee for redrawing the five Commission Districts and either approve or disapprove, without amendment, consistent with Brevard County Home Rule Charter, Article 2, Section 2.2, Redistricting.

If approved, it is requested that the Board adopt the legal description for the District Boundaries, direct the Clerk to the Board to enter said description into this meeting's minutes and for a certified copy of this meeting's minutes for this Agenda Item to be published at least once each week for two (2) consecutive weeks in the Florida Today (per Florida Statute 124.02).

### Summary Explanation and Background:

The Brevard County Home Rule Charter, Article 2, Section 2.2, Redistricting, requires that the Board of County Commissioners shall oversee the redistricting of the Board's district boundaries in the first odd-numbered year after each decennial census. The 15 member, BOCC-appointed committee began its deliberations on March 16, 2021 and met on May 18, 2021, August 25, 2021, September 14, 2021, September 27, 2021, October 4, 2021, and October 18, 2021. At the October 18<sup>th</sup> meeting, the committee voted 9 to 4 to forward the attached map to the Board for consideration. (Aye; Robin Fisher, Robert Jordan, James Minus, Yvonne Minus, Henry Minneboo, Todd Pokrywa, Sue Schmitt, Steve Crisafulli, Jason Steele. Nay; Josiah Gattle, Susan Hodgers, John Weiler, Alberta Wilson. Absent; Kendall Moore, Ritch David Workman.)

### Board Options:

- 1) Approve the map as proposed and the attached legal description of the amended Commission Boundaries as required by Section 124.02, F.S. and the accompanying resolution adopting the district boundaries.
- 2) Reject the map as proposed. (This option will result in the Redistricting Committee reconvening to further consider modifications to district boundaries.)



**Clerk to the Board Instructions:**

Enter said legal description into this meeting's minutes and certify a copy of the minutes for this Agenda Item.

Return Clerk's Memo to County Manager's Office.



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Kimberly.Powell@brevardclerk.us

November 10, 2021

**M E M O R A N D U M**

**TO:** Frank Abbate, County Manager

**RE:** Item J.3., Approval, Adoption, and Advertisement for Recommendation of Redistricting Committee and Legal Description for the Commission District Boundaries

The Board of County Commissioners, in regular session on November 9, 2021, approved the recommendation of the Brevard County Redistricting Committee; adopted Resolution No. 21-161, approving the 2021 Redistricting Committee Redistricting Plan, setting forth an accurate description of the new County Commission District Boundaries; directed the Clerk to enter the Resolution in the Board Minutes; and directed the County Manager, or his designee, to publish a notice of the Resolution and the description of the approved County Commission District Boundaries. Enclosed is a certified copy of the Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

A handwritten signature in cursive script, reading "Kimberly Powell".

Kimberly Powell, Clerk to the Board

Encls. (1)

cc: County Attorney  
Each Commissioner  
Steve Crisafulli  
Finance  
Budget



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Kimberly.Powell@brevardclerk.us

January 25, 2022

Dana Blickley  
Brevard County Property Appraiser  
P. O. Box 429  
Titusville, FL 32781-0429

RE: Item J.3., Approval, Adoption, and Advertisement for Recommendation of Redistricting Committee and Legal Description for the Commission District Boundaries

The Board of County Commissioners, in regular session on November 9, 2021, approved the recommendation of the Brevard County Redistricting Committee; adopted Resolution No. 21-161, approving the 2021 Redistricting Committee Redistricting Plan, setting forth an accurate description of the new County Commission District Boundaries; directed the Clerk to enter the Resolution in the Board Minutes; and directed the County Manager, or his designee, to publish a notice of the Resolution and the description of the approved County Commission District Boundaries. Enclosed is a certified copy of the Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

Encls. (1)



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Kimberly.Powell@brevardclerk.us

January 25, 2022

Honorable Lori Scott  
Brevard County Supervisor of Elections  
2725 Judge Fran Jamieson Way  
Viera, FL 32940

Attention: Judy Moran

Dear Ms. Scott:

Re: Item J.3., Approval, Adoption, and Advertisement for Recommendation of Redistricting Committee and Legal Description for the Commission District Boundaries

The Board of County Commissioners, in regular session on November 9, 2021, approved the recommendation of the Brevard County Redistricting Committee; adopted Resolution No. 21-161, approving the 2021 Redistricting Committee Redistricting Plan, setting forth an accurate description of the new County Commission District Boundaries; directed the Clerk to enter the Resolution in the Board Minutes; and directed the County Manager, or his designee, to publish a notice of the Resolution and the description of the approved County Commission District Boundaries. Enclosed is a certified copy of the Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

*for: Donna Scott*  
Kimberly Powell, Clerk to the Board

Encls. (1)

**RESOLUTION 2021- 161**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA APPROVING THE 2021 REDISTRICTING COMMITTEE REDISTRICTING PLAN AND SETTING FORTH AN ACCURATE DESCRIPTION OF THE NEW COUNTY COMMISSION DISTRICT BOUNDARIES; DIRECTING THE CLERK TO ENTER THIS RESOLUTION UPON THE BOARD MINUTES; DIRECTING THE COUNTY MANAGER OR DESIGNEE TO PUBLISH NOTICE OF THIS RESOLUTION AND THE DESCRIPTION OF THE APPROVED COUNTY COMMISSION DISTRICT BOUNDARIES IN A NEWSPAPER PUBLISHED IN BREVARD COUNTY; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, pursuant to Article VIII, section 1(e) of the Florida Constitution, Chapter 124, Florida Statutes and section 2.2 of the Brevard County Charter, the redistricting of all County Commission districts shall occur in the first odd-numbered year after each decennial census; and

**WHEREAS**, pursuant to section 2.2 of the Brevard County Charter, redistricting is the responsibility of the Redistricting Committee; and

**WHEREAS**, a Redistricting Committee duly appointed by the Board of County Commissioners has recommended the attached redistricted boundaries and descriptions of boundary districts for adoption by the Board of County Commissioners; and

**WHEREAS**, the Board of County Commissioner has reviewed and considered the district boundaries proposed in the Redistricting Committee Plan;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA:**

**Section 1.** The Board of County Commissioners hereby adopts the Brevard County Redistricting Committee's recommendation of the district boundaries as the new County Commission district boundaries to take effect upon adoption of this resolution, subject to completion of the publication of notice set forth in section 3 below. A copy of an accurate description of the redistricted boundaries are attached hereto and incorporated by reference herein as the approved description for the new County Commission district boundaries.

**Section 2.** The Clerk to the Board is hereby directed to enter this resolution, including the attached redistricting legal description of the newly adopted County Commission district boundaries, upon the minutes of the Board of County Commissioners.

**Section 3.** The County Manager, or designee, is hereby directed to cause the publication of a certified copy of the Board minutes setting forth this resolution, together

with the appended map and description of district boundaries, at least once each week for 2 consecutive weeks (two publications being sufficient) in a newspaper published in Brevard County.

**Section 4.** This resolution shall take effect upon adoption by the Board of County Commissioners, subject to compliance with the notice requirements specified in section 3 above.

**DONE AND RESOLVED**, this 9th day of November, 2021.

Brevard County Board of County Commissioners

ATTEST

By:   
Rachel Sadoff, Clerk

By:   
Rita Pritchett, Chair

(as approved by the Board on November 9, 2021)

# **BREVARD COUNTY COMMISSION DISTRICTS**

**Adopted 2021**

## **District 1**

Beginning at the intersection of the North line of Township 20 South (Brevard/Volusia County Line) and the Mean High Water Line of the Atlantic Ocean;

Thence meander southerly along said Mean High Water Line of the Atlantic Ocean to the west line of Section 2, Township 22 South, Range 37 East;

Thence southerly along said west line to the centerline of Launch Complex 39A Bypass Road;

Thence westerly along said centerline and its westerly projection to the easterly Mean High Water Line of the Banana River;

Thence meander southerly along said Mean High Water Line and around Mosquito Control Impoundment T-28-A and T-28-B as located in sections 10, 14 and 15, Township 22 South, Range 37 East;

Thence continue southerly along said easterly Mean High Water Line of the Banana River to the centerline of NASA Parkway;

Thence westerly along said centerline to the centerline of the Intracoastal Waterway of the Indian River;

Thence southerly along said centerline to the easterly projection of the north line of High Point Section 2 Subdivision as recorded in Plat Book 19 Page 9, Public Records of Brevard County, Florida;

Thence westerly along said easterly projection of the North line of Plat Book 19 page 9 to the northwest corner of said plat;

Thence southerly along the west line of said High Point Section 2 to the North Right of Way line of High Point Drive;

Thence westerly along said North Right of Way line to the northerly projection of the West Right of Way line of Westchester Drive;

Thence southeasterly along said West Right of Way line to the northwest corner of Lot 3, Block D of said High Point Section 2;



Thence southerly along the west line of said Lot 3 and it's southerly projection to the centerline of the Beeline Expressway (S.R. 528);

Thence westerly along said centerline to the east line of Range 35 East;

Thence southerly along said Range line to the North Right of Way line of North Road;

Thence northwesterly along said North Right of Way line to the northerly projection of the East line of Block 3, Cocoa North Unit No. 2 as recorded in Plat Book 21, Page 101 of the Public Records of Brevard County, Florida;

Thence southerly along the East line of said Block 3 to the North Right of Way line of London Boulevard;

Thence westerly along said North Right of Way line to the West line of said Block 3;

Thence northerly, westerly, and northerly along said West line to the intersection of the North line of Cocoa North Unit 4 as recorded in Plat Book 26, Page 44 of said Public Records;

Thence westerly along said North line, to the West line of said Plat Book 26, Page 44;

Thence southerly along said West line to the North line of Cocoa North Unit 8 as recorded in Plat Book 31, Page 65 of said Public Records;

Thence westerly along said North line to the West line of said Plat Book 31, Page 65;

Thence southerly along said West line to the North line of Tax Parcel 514 lying in Section 13, Township 24 South, Range 35 East as recorded in Official Records Book 5976, Page 2267 of said Public Records;

Thence westerly along said North line and its westerly projection to the East Right of Way line of Cox Road;

Thence southerly along said East Right of Way line to the South Right of Way line of Lake Drive;

Thence easterly along said South right of Way line to the West Right of Way line of Clearlake Road;

Thence southerly along said West Right of Way line to the North Right of Way line of Pluckebaum Road;

Thence westerly along said North Right of Way line and its westerly projection to the East Right of Way line of Interstate 95;

Thence southerly along said East Right of Way line to the centerline of Rockledge Creek;

Thence westerly along said centerline and its westerly projection to the centerline of Lake Florence;

Thence meander westerly along said centerline to the centerline of Lake Poinsett;

Thence meander westerly along said centerline to the centerline of the St. Johns River, also being the county line between Brevard and Orange Counties;

Thence meander northerly along said centerline of the St. Johns River to the intersection of the Volusia, Brevard, Orange and Seminole County lines, said point also lying on the south line of Township 21 South, Range 33 East;

Thence easterly along said south line of Township 21 South, also being the county line between Brevard and Volusia Counties to the East line of Range 33 East;

Thence northerly along said East line of Range 33 East, also being the county line between Brevard and Volusia Counties to the North line of Township 20 South, also being the Northwest corner of Brevard County;

Thence easterly along said North Township line to the point of beginning.

## **District 2**

Beginning at the intersection of the west line of Section 2, Township 22 South, Range 37 East and the Mean High Water Line of the Atlantic Ocean;

Thence meander southerly along the Mean High Waterline of the Atlantic Ocean to the easterly projection of the centerline of Pineda Causeway (S.R. 404);

Thence westerly along said centerline to the centerline of U.S. Highway No. 1;

Thence northerly along said centerline to the easterly projection of the North Right of Way line of Barnes Boulevard;

Thence westerly along said North Right of Way line to the northerly projection of the East boundary line of the plat of Plantation Point Phase One, lying in Section

22, Township 25 South, Range 36 East as recorded in Plat Book 48, Page 83 of the Public Records of Brevard County, Florida;

Thence southerly along said East plat boundary line to the South plat boundary line of said Plat Book 48, Page 83;

Thence westerly along said South plat boundary line and its westerly projection to the East Right of Way line of Interstate 95;

Thence northerly along said East Right of Way line to the westerly projection of the North Right of Way line of Pluckebaum Road;

Thence easterly along said North Right of Way line to the West Right of Way line of Clearlake Road;

Thence northerly along said West Right of Way line to the South Right of Way line of Lake Drive;

Thence westerly along said South Right of Way line to the East Right of Way line of Cox Road;

Thence northerly along said East Right of Way line to the westerly projection of the North line of Tax Parcel 501 lying in Section 13, Township 24 South, Range 35 East as recorded in Official Records Book 2613, Page 27 of said Public Records;

Thence easterly along said North line and its easterly projection to the West line of Cocoa North Unit 8 as recorded in Plat Book 31, Page 65 of said Public Records;

Thence northerly along said west line to the North line of said Plat Book 31, Page 65;

Thence easterly along said North line to the West line of Cocoa North Unit 3 as recorded in Plat Book 25, Page 90 of said Public Records;

Thence northerly along said West line and its northerly projection to the North line of Cocoa North Unit 4 as recorded in Plat Book 26, Page 44 of said Public Records;

Thence easterly along said North line to the West line of Block 3, Cocoa North Unit No. 2 as recorded in Plat Book 21, Page 101 of said Public Records;

Thence southerly, easterly and southerly along said West line to the North Right of Way line of London Boulevard;

Thence easterly along said North Right of Way line to the East line of said Block 3;

Thence northerly along said East line and its northerly projection to the North Right of Way line of North Road;

Thence easterly along said North Right of Way line to the east line of Range 35 East;

Thence northerly along said East line to the centerline of the Beeline Expressway (S.R. 528);

Thence easterly along said centerline to the southerly projection of the west line of Lot 3, Block D of High Point Section 2 as recorded in Plat Book 19 Page 9 of the Public Records of Brevard County, Florida;

Thence northerly along said west line to the southerly Right of Way line of Westchester Drive;

Thence northwesterly along said southerly Right of Way line to the North Right of Way line of High Point Drive;

Thence easterly along said North Right of Way line to the west line of said High Point Section 2 (Plat Book 19 page 9);

Thence northerly along said west line to the north line of said High Point Section 2;

Thence easterly along said north line and its easterly projection to the centerline of the Intracoastal Waterway of the Indian River;

Thence northerly along said centerline to the centerline of NASA Causeway;

Thence easterly along said centerline to the southerly projection of the easterly Mean High Water Line of the Banana River;

Thence meander northerly along said Mean High Water Line of the Banana River and around Mosquito Control Impoundment T-28-A and T-28-B as located in Sections 10, 14 and 15, Township 22 South, Range 37 East;

Thence continue northerly along the easterly Mean High Water Line of the Banana River to the westerly projection of the centerline of Launch Complex 39A Bypass Road;

Thence easterly along said centerline to the west line of Section 2, Township 22 South, Range 37 East;

Thence northerly along said west line to the Mean High Water Line of the Atlantic Ocean and the point of beginning.

**District 3**

Begin at the intersection of the Mean High Water Line of the Atlantic Ocean and the South line of Indian Ocean By The Sea, Section D as recorded in Plat Book 3, Page 93 of said Public Records;

Thence southerly along said Mean High Water Line to the centerline of the Sebastian Inlet, also being the county line between Brevard and Indian River Counties;

Thence meander westerly along said centerline and along the county line between Brevard and Indian River Counties to the centerline of Babcock Street (S.R. 507);

Thence northerly along said centerline to the North line of Township 30 South;

Thence westerly along said North line to the West line of Range 37 East;

Thence northerly along said West line to the North line of Section 18, Township 29 South, Range 37 East;

Thence easterly along said North line and its easterly projection to the centerline of Emerson Drive SE;

Thence northerly along said centerline to the centerline of Jupiter Boulevard SE;

Thence easterly along said centerline to the centerline of San Filippo Drive SE;

Thence due East to the centerline of Interstate 95;

Thence northwesterly along said centerline to the centerline of Palm Bay Road Northeast;

Thence westerly along said centerline to the East Right of Way line of Minton Road;

Thence northerly along said East Right of Way line to the centerline of Henry Avenue;

Thence northerly along the centerline of Meadowlane Avenue to the centerline of New Haven Avenue (US Highway 192);

Thence easterly along said centerline to the centerline of Strawbridge Avenue;

Thence easterly along said centerline to the centerline of Melbourne Causeway (US Highway 192);

Thence easterly along said centerline to the centerline of the Intracoastal Waterway of the Indian River;

Thence southerly along said centerline of the Intracoastal Waterway, plus/minus 3,160 feet;

Thence due East to the West line of Range 38 East said point lying 1 foot offshore;

Thence northerly along said Range line to the North line of Sunset Shores Subdivision as recorded in Plat Book 16, Page 63 of said Public Records;

Thence easterly along said North line and its easterly projection to the Mean High Water Line of the Atlantic Ocean and the point of beginning;

#### **District 4**

Begin at the intersection of the county line between Brevard and Orange Counties and the centerline of Lake Poinsett, said intersection lying on the West line of Range 35 East extended northerly;

Thence meander easterly along said centerline of Lake Poinsett and along the centerline of the Rockledge Creek and Lake Florence to the East Right of Way line of Interstate 95;

Thence southerly along said East Right of way line to the intersection with the South line of Section 21, Township 25 South, Range 36 East;

Thence easterly along the South line of said Section 21 and the easterly projection of said line through Section 22, Township 25 South, Range 36 East to the East line of the plat of Plantation Point Phase One as recorded in Plat Book 48, Page 83 of the Public Records of Brevard County, Florida;

Thence northerly along said East line and its northerly projection to the North Right of Way Line of Barnes Boulevard;

Thence easterly along said North Right of Way line to the centerline of U.S. Highway No. 1;

Thence southerly along said centerline to the centerline of Pineda Causeway (S.R. 404);

Thence easterly along said centerline to the Mean High Water Line of the Atlantic Ocean;

Thence southerly along said Mean High Water Line to the easterly projection of the North line of Irene H Canova Park (Tax Parcel 3 lying in Section 13, Township 27 South, Range 37 East as recorded in Official Records Book 3596, Page 891 of said Public Records);

Thence westerly along said North line to the East Right of Way line of State Highway A1A;

Thence southerly along said East Right of Way line to the South Right of Way line of Eau Gallie Boulevard;

Thence westerly along said South Right of Way line to the centerline of Montreal Avenue;

Thence westerly along said centerline to the centerline of US Highway 1;

Thence northerly along said centerline to the North Right of Way line of Eau Gallie Boulevard;

Thence westerly along said North Right of Way line to the West Right of Way line of Wickham Road;

Thence northerly along said West Right of Way line to the South Right of Way line of Parkway Drive;

Thence westerly along said South Right of Way line to the East Right of Way line of Turtlemound Road;

Thence southerly along said East Right of Way line to the South Right of Way line of Lake Washington Road;

Thence westerly along said South Right of Way line to the centerline of Lake Washington;

Thence northerly and westerly along the centerline of Lake Washington to the centerline of the St. Johns River;

Thence meander northwesterly along said centerline to the intersection of the West line of Range 35 East, also being the county line between Osceola and Brevard Counties;

Thence northerly along said West line of Range 35 East and the West line of Brevard County to the point of beginning.

**District 5**

Begin at the intersection of the Mean High Water Line of the Atlantic Ocean and the easterly projection of the North line of Irene H Canova Park (Tax Parcel 3 lying in Section 13, Township 27 South, Range 37 East as recorded in Official Records Book 3596, Page 891 of said Public Records)

Thence westerly along said North line to the East Right of Way line of State Highway A1A;

Thence southerly along said East Right of Way line to the South Right of Way line of Eau Gallie Boulevard;

Thence westerly along said South Right of Way line to the centerline of Montreal Avenue;

Thence westerly along said centerline to the centerline of US Highway 1;

Thence northerly along said centerline to the North Right of Way line of Eau Gallie Boulevard;

Thence westerly along said North Right of Way line to the West Right of Way line of Wickham Road;

Thence northerly along said West Right of Way line to the South Right of Way line of Parkway Drive;

Thence westerly along said South Right of Way line to the East Right of Way line of Turtlemound Road;

Thence southerly along said East Right of Way line to the South Right of Way line of Lake Washington Road;

Thence westerly along said South Right of Way line to the centerline of Lake Washington;

Thence northerly and westerly along the centerline of Lake Washington to the centerline of the St. Johns River;



Thence meander northwesterly along said centerline to the intersection of the West line of Range 35 East, also being the county line between Osceola and Brevard Counties;

Thence southerly along said West line of Range 35 East and the county line between Osceola and Brevard Counties to the South line of Township 30 South, also being the county line between Brevard and Indian River Counties;

Thence easterly along said South line and the county line between Brevard and Indian River Counties to the centerline of Babcock Street (S.R. 507);

Thence northerly along said centerline to the North line of Township 30 South;

Thence westerly along said North line to the West line of Range 37 East;

Thence northerly along said West line to the North line of Section 18, Township 29 South, Range 37 East;

Thence easterly along said North line and its easterly projection to the centerline of Emerson Drive SE;

Thence northerly along said centerline to the centerline of Jupiter Boulevard SE;

Thence easterly along said centerline to the centerline of San Filippo Drive SE;

Thence due East to the centerline of Interstate 95;

Thence northwesterly along said centerline to the centerline of Palm Bay Road Northeast;

Thence westerly along said centerline to the East Right or Way line of Minton Road;

Thence northerly along said East Right or Way line to the centerline of Henry Avenue;

Thence northerly along the centerline of Meadowlane Avenue to the centerline of New Haven Avenue (US Highway 192);

Thence easterly along said centerline to the centerline of Strawbridge Avenue;

Thence easterly along said centerline to the centerline of Melbourne Causeway (US Highway 192);

Thence easterly along said centerline to the centerline of the Intracoastal Waterway of the Indian River;

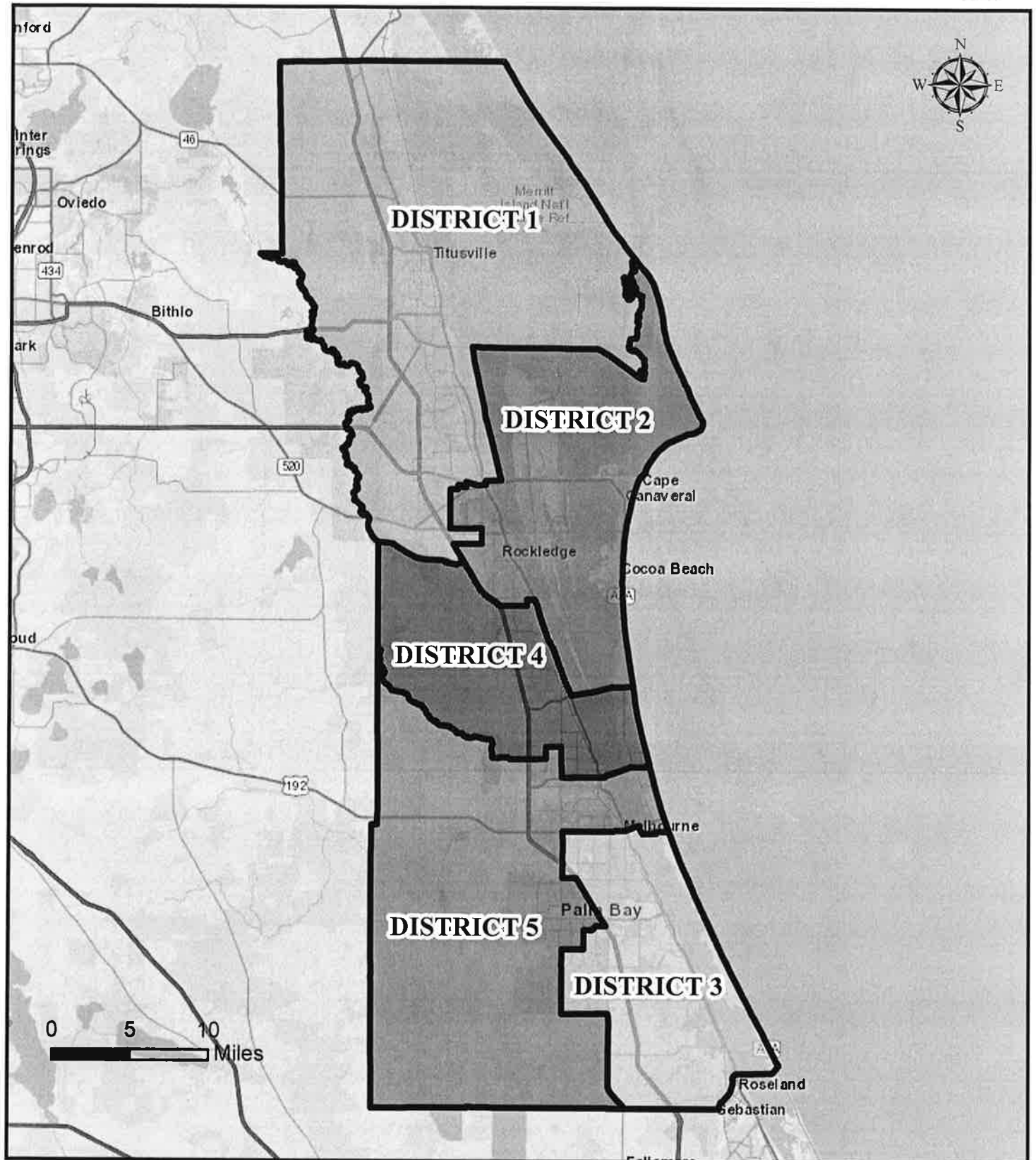
Thence southerly along said centerline of the Intracoastal Waterway, plus/minus 3,160 feet;

Thence due East to the West line of Range 38 East said point lying 1 foot offshore;

Thence northerly along said Range line to the North line of Sunset Shores Subdivision as recorded in Plat Book 16, Page 63 of said Public Records;

Thence easterly along said North line and its easterly projection to the Mean High Water Line of the Atlantic Ocean;

Thence northerly along said Mean High Water Line to the point of beginning.



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

HONOTS NLR LAUREL LEE  
SECRETARY OF STATE  
500 S BRONOUGH ST  
TALLAHASSEE, FL 32399



9590 9402 6880 1104 0300 07

2. Article Number (Transfer from service label)

7020 1290 0000 1333 7514

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

**X** *Kevin A. 12*

- ☐ Agent  
☐ Addressee

B. Received by (Printed Name)

*Kevin A. 12*

C. Date of Delivery

*11/19/21*

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☒ No

3. Service Type

- ☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☐ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
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TALLAHASSEE, FL 32399**

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PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

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Postal Service**

• Sender: **BREVARD COUNTY CLERK OF COURT  
P O BOX 999**

**TITUSVILLE, FL 32781**

*Clerk To The Board*

First-Class Mail  
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Permit No. G-10



## Deborah Thomas

---

**From:** Tyler Winik  
**Sent:** Monday, November 15, 2021 9:52 AM  
**To:** Kimberly Powell; Deborah Thomas  
**Subject:** Resolution to the Department of State

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please send to the address below:

The Honorable Laurel Lee  
Secretary of State  
R.A. Gray Building, Room 316  
500 South Bronough Street  
Tallahassee, Florida 32399-0250

**Tyler Winik**  
*Director of Organizational Development  
& Public Affairs*

Rachel M. Sadoff  
Clerk of the Circuit Court & Comptroller  
Brevard County, Florida  
Post Office Box 999  
Titusville, Florida 32781-0999  
Phone (321) 637-5413 x49111  
Direct (321) 633-7777  
Cell (321) 652-0271  
Fax (321) 264-6940  
[www.brevardclerk.us](http://www.brevardclerk.us)



**Connect with the Clerk!**

STATE OF FLORIDA  
COUNTY OF BREVARD

THIS IS TO CERTIFY that the above is a true and correct excerpt from the Minutes of Item J.3., of the November 9, 2021, Board of County Commissioner of Brevard County Florida's meeting, to the best of my knowledge.

WITNESS my hand and seal of said Board, this 19<sup>th</sup> day of November, 2021.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY FLORIDA  
RACHEL M. SADOFF, CLERK

By Kimberly J. Powell  
Kimberly J. Powell

**November 9, 2021 Board of County Commissioner Meeting**

**Item J.3., Recommendation of Redistricting Committee and Legal Description for the Commission District Boundaries**

Jim Liesenfelt, Assistant County Manager, stated what the Board has in front of it, the Redistricting Committee voted on October 18, to recommend the attached Commission District Map of the future Districts boundaries; for the Charter 2.2, the Board has to approve or disapprove the recommendation without amendment; if the Board approves this recommendation, the legal boundaries will be advertised per Florida Statute 124.02; the Board has the resolution, the legal boundaries, and the Committee recommendations in the attachment; and he is happy to answer any questions.

Chair Pritchett advised she has some cards, but she is going to let Commissioner Lober say a couple things, then she will call the cards up.

Commissioner Lober asked for a little bit of flexibility; he stated he has quite a bit he wants to go over; this is a process that is going to impact the County over the next 10 years; and he thinks it is something the Board needs to spend some time on it.

Chair Pritchett asked Commissioner Lober to get ready.

Commissioner Lober advised he is ready to go.

Chair Pritchett stated she does not want a lot of back and forth.

Commissioner Lober advised he has some questions that he would like to run by the County Attorney, Abby Jorandby; and he asked for some flexibility.

Chair Pritchett responded affirmatively.

Commissioner Lober inquired if Attorney Jorandby has been an attorney for over 20 years.

Attorney Jorandby responded that is correct.

Commissioner Lober inquired if she has substantial local government experience.

Attorney Jorandby responded affirmatively.

Commissioner Lober stated that is part of the reason the County hired her was that she is Board-certified by the Florida Bar in City, County, and local government law; and he asked if that was correct.

Attorney Jorandby responded affirmatively.

Commissioner Lober congratulated Attorney Jorandby on her position as the new County Attorney.

Attorney Jorandby thanked him.

Commissioner Lober stated since the Redistricting Committee first convened for the 2021 redistricting session, Attorney Jorandby had the primary responsibility for representing that Committee on behalf of County legal; and he asked if that is correct.

Attorney Jorandby responded affirmatively.

Commissioner Lober advised he had indicated at an earlier Redistricting Committee meeting, during public comment, that even if Attorney Jorandby was strongly suspect that a particular proposal is likely to result in litigation, which would be an uphill battle for the County to defend, it would be incredibly unlikely that she would advise against that proposal, or to say that the County is likely to lose; and he asked if that is because he had suggested she does not want her own words essentially fed back to her should the County be sued.

Attorney Jorandby agreed to that statement.

Commissioner Lober stated she does not want to hear in a court proceeding in which the County is listed a defendant, even the County's own attorney advised them against doing this, however the committee and the Commission disregarded the legal advice from its own attorney, and selected the least defensible option; and he reiterated that the County Attorney does not want to hear that in a legal proceeding.

Attorney Jorandby responded that is correct.

Commissioner Lober stated it is tough to say with certainty, it is entirely possible that the County's own insurer may well refuse to cover the cost of defense should the County be sued on adopting the plan under consideration; and he asked if that is correct.

Attorney Jorandby agreed and stated it depends on what is filed.

Commissioner Lober noted he is not talking about a theoretical possibility, it is a real possibility.

Attorney Jorandby advised that is correct.

Commissioner Lober inquired if Attorney Jorandby is aware of anyone who is or may have been supportive of the plan either under consideration tonight or any other plan having offered to indemnify the County for its cost of defense.

Attorney Jorandby responded she is unaware of anyone doing that.

Commissioner Lober inquired if the County's insurer does not cover it and no one steps up to pay the County's cost of defense, and would those costs then be borne by the taxpayers.

Attorney Jorandby replied that is correct.

Commissioner Lober stated he understands and appreciates Attorney Jorandby's reluctance to verbalize an opinion against any particular proposal, unfortunately it is imperative that the Board understand the relative risk that it stands to assume; he wants to take a few minutes to discuss that risk with Attorney Jorandby; at the second to the last redistricting meeting the Redistricting Committee had called pretty efficiently, all but two of the more than a dozen, perhaps 15 or so proposals that were then under consideration, and at that meeting he believes Attorney Jorandby was tasked with providing a legal analysis of the two proposals which survived that gauntlet, or process of elimination; and he asked if that is correct.

Attorney Jorandby responded affirmatively.

Commissioner Lober stated he is going to refer to the two surviving plans, the ones that made it to the very last meeting, as the Weiler Plan and either the Pokrywa or the Hybrid Plan, despite it having been



referred to the Fisher Plan by a lot of folks; the Weiler Plan, just for clarity sake, is simply the most recent proposal that was put forth by John Weiler; with respect to that plan, it remained unchanged for a number of meetings; and if anyone saw that Plan in the past several meetings, that is the Plan he is talking about. He continued by saying the Pokrywa Plan or the Hybrid Plan essentially adopts land transfers from District Four to District Two which were contained in Mr. Weiler's Plan within two proposed change areas; not all of the D4 to D2, but some of the D4 to D2, leaving all of the other Districts and all of the other portions of the proposal totally untouched; and he asked if he is correct.

Attorney Jorandby replied that is correct; and she stated the Fisher Plan or the Hybrid Plan, yes.

Commissioner Lober stated he is assuming based on the fact, and he understands a memo went out, Attorney Jorandby has had a sufficient opportunity to perform all appropriate due diligence in reviewing those two plans.

Attorney Jorandby responded affirmatively.

Commissioner Lober commented while it would be improper for staff to formulate policy for either the Redistricting Committee, or frankly for this Board, as he alluded to a moment ago, when the Commission needs to rely on Attorney Jorandby's expertise regarding relative risk, unfortunately he has to get into that; and he inquired when the Redistricting Committee was first convened if she recalls staff having presented various foundational issues that ranged from Sunshine Law to the metrics of the Committee ought to use and ought to strive to achieve.

Attorney Jorandby replied yes they went over that.

Commissioner Lober asked if Attorney Jorandby recalls staff having articulated that a three percent spread between the most and the least populated district was the goal.

Attorney Jorandby replied that is correct, that is considered the ideal.

Commissioner Lober inquired if Attorney Jorandby recalls a District 4 redistricting appointee, former County Commissioner, Sue Schmitt, having suggested, and he believes that was during the September 14 Redistricting Committee meeting, which was well prior to the Hybrid Plan first having been proposed, that the spread could be as high as five percent.

Attorney Jorandby responded she does recall that.

Commissioner Lober asked if Attorney Jorandby recalls him having suggested, again at a public comment session during a redistricting, well prior to that Hybrid Plan first having been proposed, in so many words, that remaining within three percent was ideal in the goal, as staff had said remaining under five percent was essentially riskier and surpassing the 10 percent essentially amounts to a non-starter.

Attorney Jorandby explained that is correct, the courts have repeatedly looked at anything 10 percent or higher as being a red flag, that that is a prima facie case for an equal protection violation; therefore, 10 percent is the critical mass.

Chair Pritchett stated to Commissioner Lober she thinks he is doing this for the Board's behalf.

Commissioner Lober stated in part.

Chair Pritchett advised she watched every single meeting and she is guessing the rest of the Board watched a lot of them as well.

Commissioner Lober commented he appreciates that.

Chair Pritchett noted a lot of the things Commissioner Lober is reviewing, she is very aware of; she even heard the conversation on there that Attorney Jorandby was asked if there was a possibility, no matter what the Board brought, with it being challenged and she stated absolutely, yes.

Commissioner Lober noted then there is a question of likelihood, there are things that are theoretically possible.

Chair Pritchett agreed with that stating it is with anything the Board does; she commented when Commissioner Lober throws things out he brings out some of the most creative risky things that she thinks are wonderful and the Board usually ends up going with a few of them too; and she wanted to tell him that as he is going down this path, he is not helping her any.

Commissioner Lober stated part of this is for the folks up here who are soaking in perhaps something that did not occur to them previously.

Chair Pritchett inquired if this for the Board because the Board is voting.

Commissioner Lober reiterated it is for the Board, in part; but it is also in part for those who are going to come up and make public comment.

Chair Pritchett noted the Board will be voting.

Commissioner Zonka advised she watched all of those meetings as well.

Commissioner Lober mentioned he is not trying to imply anyone up here has not done their due diligence.

Chair Pritchett stated she is just letting Commissioner Lober know that a lot of things he is reviewing, the Board might have already watched it.

Commissioner Lober stated he appreciates that; this is one of those things that impacts the County for a decade; and he would like to ask for some leniency and flexibility to ask questions.

Commissioner Zonka stated she just does not know without any kind of imaging or any kind of description, Commissioner Lober is hammering questions at Attorney Jorandby, and maybe the public that was intimately involved or Mr. Weiler, who worked on Commissioner Lober's idea for a map, maybe he understands what is going on, but she would beg to say most people are not quite understanding the path because it is one question and one point after another; she gets it because she watched it and she knows where he is coming from, and which plan he wants; and she just thinks it is difficult for the rest of the people to follow.

Commissioner Lober mentioned he appreciates that; and he stated he is trying to build a foundation without building an excessive foundation.

Commissioner Pritchett commented he is being a lawyer.

Commissioner Lober stated in essence he can ask more questions to make it simpler but it is going to drag it on longer; if someone wants to ask something either during public comment or after that he would be happy to address that; but he thinks there are certain things that he really feels the Board ought to go over.

Chair Pritchett stated maybe if Commissioner Lober would state what he thinks it is and what his conclusions are it might help a little bit.

Commissioner Lober stated he thinks part of it is the Board selected a County Attorney, prior to having selected her, she was deemed absolutely capable by County legal to handle the redistricting; and he thinks it is more important rather than him stating it, to get the County Attorney's opinion so the Board has a basis to move forward understanding what the County Attorney's opinion is.

Chair Pritchett stated she does not think Attorney Jorandby is going to tell him she would not be able to defend either one.

Commissioner Lober asked that the Board bear with him, he thinks he could have gotten through a number of his comments at this point now, had he not had this back and forth with the rest of the Board, which he is happy to have.

Chair Pritchett commented he might be going down a little bit of a rabbit trail and she thinks it is going to be a very long discussion anyway; and she just wanted to tell Commissioner Lober that, because it is the Board he has to convince.

Commissioner Lober stated he has not to his knowledge ever tried to rush anyone on the Board when he was Chair and when he was not the Chair; he does not intend to ever rush anyone ever, especially when dealing with a meat and potatoes issue that is going to impact the County for decades; and he apologizes if this is a little longer than most would like.

Chair Pritchett inquired if Commissioner Lober is trying to figure out the legality of it because that seems to be the question.

Commissioner Lober asked if the Chair would just allow him a little bit of flexibility he thinks he can get through this without too much pain.

Commissioner Smith asked Commissioner Lober if he is under the impression that the Board is not familiar with the conversations that he had with Attorney Jorandby during these meetings.

Commissioner Lober stated no he is not under that impression at all.

Commissioner Smith went on to say from what he has heard so far is that Commissioner Lober is grilling Attorney Jorandby on things that she said and things that were said during the proceedings.

Commissioner Lober advised he does not agree with that characterization.

Commissioner Smith pointed out that is what he has been hearing and he has already heard her answers to Commissioner Lober's questions; and if Commissioner Lober wants to make this shorter, he can because the rest of the Board has pretty much already heard this.

Commissioner Lober noted as Commissioner Zonka mentioned, some of the people out there may not understand.

Commissioner Smith advised they are voting.

Commissioner Lober commented he thinks they have a right to public input to articulate what their concerns and thoughts are before the Board votes.

Commissioner Smith noted he does not disagree with that but he thinks if anyone had a real desire to know what has transpired since July, at all these meetings, they would have attended some of them.

Commissioner Lober stated he does not disagree with that.

Commissioner Smith continued by saying if they have not attended any of those, he would say their interest level is pretty low; he is just trying to speed things up, all this is doing is spending more time; and he advised that is his thoughts, but if Commissioner Lober wants to continue have had it.

Commissioner Lober asked the Chair if he may continue.

Chair Pritchett allowed Commissioner Lober to continue.

Commissioner Lober asked Attorney Jorandby if, as a matter of law, and he is going to be direct as it pertains to the defensibility of the proposals, she agrees or disagrees with his statements in regard to less than three percent being ideal or is staff put at the goal.

Attorney Jorandby noted she does not disagree.

Commissioner Lober stated though Attorney Jorandby has indicated anything exceeding 10 percent would be a red flag...

Chair Pritchett interjected asking Commissioner Lober to allow Mr. Liesenfelt to jump in.

Mr. Liesenfelt clarified there were no goals set; there is talk about variants but staff did not set a three percent goal.

Commissioner Lober commented he can give Mr. Liesenfelt the specific minutes from Insite if he would like; and he asked the Chair if she would like for him to look that up because he has them.

Chair Pritchett replied no; and commented to just move forward.

Commissioner Lober advised he believes Attorney Jorandby already mentioned that during the foundational discussion that staff had identified three percent as one of the target metrics.

Chair Pritchett called for a five minute break at 6:07 P.M. and the Board reconvened at 6:14 P.M.

Commissioner Lober asked if he could defer with Attorney Jorandby for a moment and then take it back and continue, he thinks he has some clarification as to the last point of contention.

Chair Pritchett stated that is wonderful and it would help communication greatly.

Attorney Jorandby noted that last question regarding a goal that was set, they reviewed the minutes from the Redistricting Committee, specifically the August 25, minutes; it was asked of her by one of the Committee members, "And then a legal question on the variance, the total allowable variance is three percent" and her response was that the recommended variance, yes; and she mentioned the three percent was the recommended variance, and one typically does not want to go above that.

Commissioner Lober apologized if the term goal was not used; he stated he thinks it is essentially synonymous and if someone does not agree, he apologizes for that; he thinks it is a little picky but minutes are what they are; Attorney Jorandby has indicated that anything exceeding 10 percent would be a red flag, and best practice would essentially be to ensure that it remain within the three percent variance goal; and he asked if that is correct in recapping what she just said.

Attorney Jorandby commented the best practice is the recommended variance is three percent.

Commissioner Lober stated he is not picking the Weiler Plan because he is a good guy, although he is a good guy, he is doing that because that is what the Committee left to the end meeting, two options; it is not that he think it has to be the Weiler Plan if it is not the Hybrid Plan; and he asked if the spread in the Weiler Plan is not 2.18 percent.

Attorney Jorandby noted the overall range deviation is 2.18 percent.

Commissioner Lober noted that is within the three percent.

Attorney Jorandby remarked that is correct.

Commissioner Lober went on to say the spread in the Hybrid Plan to his understanding is 8.78 percent; and he inquired if that is correct.

Attorney Jorandby noted that is the overall range deviation.

Commissioner Lober asked if the 8.78 percent is neither within the three percent target, nor as was said, the recommended variance, nor within the five percent initially identified by Ms. Schmitt as an acceptable fallback.

Attorney Jorandby noted it is not, but keep in mind the 10 percent is the red flag, and it is below the 10 percent.

Commissioner Lober stated the Hybrid Plan, based on that math, has over four times the spread of the Weiler Plan; and he asked if that is correct.

Attorney Jorandby noted that is correct.

Commissioner Lober asked for some legitimate likely defensible reasons why a plan would or could exceed the three percent goal.

Attorney Jorandby explained just looking at the cases and keeping in mind the Supreme Court has set out this 10 percent as the red flag, the prima facie case for equal protection violation, the court has recognized that there is going to be some kind of variance and there is going to be a deviation between the District populations, there is not going to be a zero or equal percentage; the reasons they acknowledge is appropriate is if a District is under populated in a particular area due to future population growth, if there is an area that is thought to actually exceed growth in the next 10 years, that District can be under-populated; the other reasons for that is to preserve the integrity of the cities, as well as providing for compact districts of contiguous territory; and that means if one is trying to preserve the districts contiguous nature. She went on to say the courts have recognized that there can be a deviation, 10 percent being that red flag; and if an area hits that 10 percent, or goes over at any point in time, there is that prima facie case of a violation of equal protection.

Commissioner Lober stated while there are certainly countless court cases and laws, given Attorney Jorandby's experience and her obvious research into the legal issues that pertain to redistricting, he asked if she is presently aware of any Statute, case law, or binding precedent that might permit or sanction the adoption of a higher than ideal spread primarily or solely on account of wishing to maintain the status quo to the greatest degree possible, and not on account of any of those reasons that she previously mentioned.

Attorney Jorandby responded she is unaware of any.

Commissioner Lober continued on to ask if Attorney Jorandby recalls if any Hybrid Plan came into existence as a result of meshing the Weiler Plan, or at least two of the proposed change areas of the Weiler Plan with what was then the Fisher Plan, of leaving all Districts alone, and in essence doing nothing and not redistricting; and he asked if that is correct.

Attorney Jorandby asked him to repeat that.

Commissioner Lober advised he wants to get to how the Hybrid Plan came into existence, because he thinks it makes a huge difference; and he asked if it is Attorney Jorandby's understanding that it came into existence, based upon the minutes leading up to the point at which it was introduced, as a result of meshing the Weiler Plan along with what was then the Fisher Plan, being to essentially do nothing, leaving all the Districts as they are, and not changing the boundaries whatsoever.

Attorney Jorandby responded affirmatively and stated that was the discussion.

Commissioner Lober noted Attorney Jorandby may recall as well that the Committee was uncomfortable with the Fisher Plan at that time being one of doing nothing that resulted in a greater than 10 percent spread or deviation leaving those Districts as is; and he asked if she recalls that.

Attorney Jorandby responded affirmatively; and she stated there was a very high deviation at that point, if the County did nothing.

Commissioner Lober continued by saying given the chronology, he would image Attorney Jorandby would agree that it appears facially, pretty plain that the Hybrid Plan originated as a result of a desire to maintain as much of the status quo as possible while reducing that spread below 10 percent; and he inquired if she agrees.

Chair Pritchett remarked that is speculation.

Attorney Jorandby stated without really knowing exactly she cannot put herself in the position of the Committee members, but they were trying to work on bringing down that 10 percent.

Commissioner Lober stated that is fair and he thinks people can make their own conclusions from that; and he asked if Attorney Jorandby recalls it was the first and only time that the now Fisher Plan, where there was any attempt to argue a legitimate lawful basis for the nearly nine percent deviation in what is now referred to as the Fisher Plan, and recall that the only time that has ever taken place was after it was introduced at the final redistricting meeting, as far as addressing any of those three or four items that she mentioned were lawful bases of exceeding a three percent spread.

Attorney Jorandby stated it was at the final meeting and that was after she did a brief presentation to the Committee as to the 10 percent, the case law, the Statute, and the constitutional requirements that the County is supposed to follow as far as redistricting in general.

Commissioner Lober advised that is his understanding as well; he does not mean to speak ill of anyone on redistricting, frankly anyone willing to serve and dedicate their time deserve appreciation for that, so do not take it as a slight; he really does respect all the work that was put in; he thinks it is important to see the chronology of where things were and where it went; people can make whatever conclusions they wish based upon that information; during the October 4 Redistricting Committee meeting in discussing the Hybrid Plan and the Weiler Plan, he asked if Attorney Jorandby recalls a former State Representative, Jason Steele, having stated, "the two maps they have are a toss-up, they are almost identical except for one big thing and that is the deviation on Todd's is 8.4, the deviation on John's is 2.4, significantly lower on John's, so why would we go with an 8.4 deviation when we can go for a 2.4 deviation. It's six of one and half dozen of another, so I think we could easily come to a decision tonight and either one of these proposals would be very good with the County Commission, and unfortunately, as much as I would like to go along with Robin's idea, I thinks it's probably smarter for us to do the deviation that is lower, and puts us in a better protective position."; and he asked if she recalls that.

Attorney Jorandby stated it sounds familiar.

Commissioner Lober stated now he wants to talk about a different meeting; he asked if Attorney Jorandby recalls during the September 27, Redistricting Committee meeting Steve Crisafulli having pulled his own proposal in favor of, or in deference to one of Mr. Pokrywa's proposals and also the Weiler proposal based on them being so substantially similar to his own.

Attorney Jorandby stated yes eventually it ended up with the two plans before the Committee.

Commissioner Lober asked Attorney Jorandby going back to that October 4 Redistricting Committee meeting, if she recalls Mr. Pokrywa having pulled his own proposal in favor of Mr. Weiler's proposal.

Attorney Jorandby responded yes, they ended up with the two plans for review.

Commissioner Lober stated at that October 4 meeting and discussing the two plans, he believes Mr. Pokrywa's words were, "they were very similar and they also incorporated a lot of other Committee members and comments from our meeting second to last. I did not need to review my plan because it mirrored Mr. Weiler's because we took into consideration committee feedback during that discussion in that meeting before last, Chairman. He said something similar to my plan. I believe Mr. Weiler explained that he presented, as taking into account the feedback on many of the Committee members." He continued by saying essentially again pulling his plan in favor of Mr. Weiler's.

Attorney Jorandby responded affirmatively.

Commissioner Lober advised he is not asking Attorney Jorandby to opine if the County might lose a lawsuit, he just wants to talk about relative risk between those two plans the Committee itself arrived at for the final consideration; he does not think it needs to be the Weiler Plan if it is not the plan under consideration, he is just referring to the Committee selection with respect to that; and under the case law in which Attorney Jorandby is familiar, based on spread metrics, therefore the deviation between the most populated and the least populated districts, from a standpoint of risk tolerance, he asked if the

County would assume an objectively greater risk of a potentially meritorious lawsuit were it to adopt the Hybrid Plan over the Weiler Plan.

Attorney Jorandby stated the recommendation is to keep the percentages as low as possible, try to get within that three percent; at that point in time, and she thinks the County can be sued for any of its plans; obviously she cannot stop someone from suing the County and she would defend anything the County has; however, when the percentage starts to tick up to a higher percentage that could raise more concern.

Commissioner Lober stated he is a little slow when it comes to this; he truly appreciates that and thinks it is good information to qualify the answer with; but when it comes from a standpoint of risk tolerance, the question was would the County assume an objectively greater risk of a potentially meritorious lawsuit were it to adopt the Hybrid Plan over the Weiler Plan.

Attorney Jorandby advised looking at the Weiler Plan with a 2.18 percent, obviously going into court with that percentage, it is an easier percentage to defend.

Commissioner Lober stated he wants to talk about the County Charter because he thinks that is absolutely critical moving forward; and he asked what the County Charter mandates when it comes to redistricting amongst the five districts and the balance that the County has to strive to achieve.

Attorney Jorandby responded specifically that is in Section 2.2 which provides that the Board shall cause the County to divide into County Commission districts of contiguous territory as nearly equal in population as practicable.

Commissioner Lober noted that is a big word; he wants to talk about practicability; and he asked Attorney Jorandby how she would define practicable as a working definition.

Attorney Jorandby replied as much as possible, when she had some training by the Florida Association of Counties, and that was by an expert who basically came in and explained it, the County is trying to get this percentage as low as possible; going back to the court cases, courts recognize it is no going to be a perfectly split evenly, there are reasons why one would under-populate or have different variations; and there is some recognition that there could be different percentages.

Commissioner Lober commented as far as the plan that is now under consideration, there was not even an attempt to argue that any of those applied until after it was introduced at the final meeting; and he asked if that was correct.

Attorney Jorandby replied it was at the final meeting when she gave her final thoughts to the committee as to what the County was trying to do as far as the Redistricting Committee was concerned.

Commissioner Lober asked while there are certainly differences in the defensibility between the Weiler Plan and the Hybrid Plan, if she would agree that the redistricting Committee absolutely could have voted for either plan at the final meeting.

Attorney Jorandby responded affirmatively; and she advised she had done a memorandum to the Committee specifically evaluating both plans before that final meeting, saying at that point in time, they were acceptable because they were below the 10 percent, there was an attempt to rebalance the population in the districts.



Commissioner Lober asked knowing the Committee could have gone with either, and since they are discussing practicability being something that can accomplished, and given that the Redistricting Committee could have gone with either, if in that sense, both plans were practical.

Attorney Jorandby responded affirmatively.

Commissioner Lober continued by saying going back to the Charter language, mandating that the County divide into districts as nearly equal in population as practicable; and he asked if the County arguably fails to that could that be the basis on which a potential plaintiff sues the County.

Attorney Jorandby advised there are a lot of factors; she responded it is possible, but obviously the courts look at why there may be districts that are underpopulated or have a variance; and she reiterated the courts will look at that.

Commissioner Lober inquired, as it pertains the Charter language that he just mentioned, is the Hybrid Plan or the Weiler Plan objectively more defensible.

Attorney Jorandby stated if looking solely at the deviation, obviously there is a lower deviation in one plan and that plan is not the one before the Board tonight, but it was one of the plans that was before the Committee at the last meeting that was the Weiler Plan with a lower deviation.

Commissioner Lober noted based on what he has seen and what Attorney Jorandby has told him about the Charter language, would he be correct in assuming that the Weiler Plan is objectively more defensible as it pertains to the Charter language.

Attorney Jorandby responded as to the Charter language, yes; if one is looking at that, the Weiler Plan that was presented to the Committee at the last meeting, it did impact all five Districts; it is shifting population; going back to those court cases, the court recognizes that sometimes it will not under-populate a district for a reason, if there is an expectation of a high population growth; there are reasons for doing that; clearly one Plan was impacting five Districts; and the other one had a higher deviation, but only impacted two Districts. She reiterated there are reasons for making those changes.

Chair Pritchett asked if Commissioner Lober is about there because she feels like he is repeating himself by asking the same questions four different ways.

Commissioner Lober stated he is going to move on to a different Item.

Chair Pritchett asked how much longer because she wants to get the public comments in and she knows he will come back at the end again.

Commissioner Lober stated he will bite his lip as much as he can and he promised he will keep this as short as he possibly can; however, he thinks this is absolutely critical to spend the time on this, this evening.

Chair Pritchett mentioned the thing is, the Board is going to be voting and there are things that the Board knows; she is guessing most of them are educated, they were there; as far as the public, she is not sure this is the time to educate them on the whole procedure; Commissioner Lober can use his discretion right now, but she is hearing the same questions being asked of Attorney Jorandby four different ways; and she is giving the same answers. She commented Commissioner Lober is going to have to help her with that.

Commissioner Lober stated he does not think in the three years that he has been on the Board that he has asked for any level of leniency when it comes to asking questions of this sort.

Chair Pritchett explained she is just trying to help get it moving along a little bit.

Commissioner Lober asked that Chair Pritchett be generous and allow him to continue.

Chair Pritchett asked if he needed 10 more minutes.

Commissioner Lober responded that is fine.

Commissioner Smith asked what Commissioner Lober's goal is; he noted he is just hearing things that he already knows; a lot of these questions Commissioner Lober has already asked during the meetings and Attorney Jorandby has already answered them; and he asked where Commissioner Lober is trying to get the Board to.

Commissioner Lober replied he would like to get everyone in the room, who desires to be on the same page, on the same page with respect to the legal requirements that the County is obligated to operate within; Commissioner Smith and himself may or may not be on the same page; and he does not know if everyone, who has taken the time out of their day or evening to be at this meeting, is necessarily as apprised as the Board Members, who are paid a full-time salary to do this job.

Chair Pritchett remarked she does not think this is place to do that.

Commissioner Smith stated he is curious and really impressed that Commissioner Lober is concerned about the audience and how much they know or do not know; and he would almost like to ask a show of hands how many.

Commissioner Lober interjected he does not think the Board is entitled to poll the audience.

Commissioner Smith commented he knows the Board is not, but he is almost inclined to do that because he does not share Commissioner Lober's desire to inform these people about things they do not really care about; and that is his point.

Commissioner Lober stated he apologizes if his transparency is distasteful sometimes; but, he thinks it is an admirable goal.

Commissioner Smith noted transparency is already, they have already done all of this.

Chair Pritchett advised she is going to give Commissioner Lober 10 more minutes.

Commissioner Lober stated each of the Commissioners have taken an oath to uphold not only the Federal Constitution, but also the Constitution of the State of Florida; and he asked if that is correct.

Attorney Jorandby responded affirmatively.

Commissioner Lober went on to say Article 8, Section 1, little e of the State's Constitution and in pertinent part, reads, "After each census, the Board of County Commissioners shall divide the County into districts of contiguous territory, as nearly as equal in population as practicable"; he noted that language is essentially identical to the requirements of the County Charter; and he asked if that is correct.

Attorney Jorandby responded affirmatively.

Commissioner Lober asked if that language is permissive, optional, or if the Board is obligated to follow it.

Attorney Jorandby stated it is mandated and that is what she told the Committee, that this is the mandate to do this population shift, they recognize that after the census that there is shift in population and now the County is supposed to make these changes.

Commissioner Lober stated as to the legal memorandum that Attorney Jorandby mentioned having sent to the Redistricting appointees, prior to their final meeting, after the second to the last, in that memorandum she clearly suggest that the Weiler Plan is the more defensible of the two, she made a statement that appears to conflict with a lot of other things contained in that memo, and he is going to quote that statement; he quoted, "Both proposals are acceptable"; and he asked if she stated that because both are below the 10 percent variance threshold and both, to a degree, attempt to balance population amongst the various districts, granted one of them only does so between two of the five districts, a minority of them.

Attorney Jorandby noted that is correct; and she stated they both shift population in the Districts and are below that 10 percent red flag.

Commissioner Lober asked would it not be easier to defend a plan which has less than one quarter the deviation and balances the population amongst all five Districts, instead of merely two of the five.

Attorney Jorandby responded by saying qualifying that a little bit, depending on the challenge, obviously, if she can go into court and show that there is a really low deviation that would be a great place to be; that was the recommendation; but as long as the County is under that 10 percent, the red flag is not there.

Commissioner Lober as if Attorney Jorandby believes that the Weiler Plan clearly meets the legal requirements of the County's Charter, the Florida Constitution, and any other applicable law of which she is aware.

Attorney Jorandby responded by saying yes.

Commissioner Lober inquired, if focused solely upon the metrics that the Committee must consider, is it not true that one plan clearly fits within those metrics; and he mentioned he quoted her earlier from the August 27 meeting, in addressing that the goal is to stay within the three percent, while another essentially pushes the boundaries to a far greater degree.

Attorney Jorandby replied the recommended variance was three percent; there is one plan that is clearly under, and then there is one that is 8.7 percent; and she reiterated, they are both acceptable because they are both under that 10 percent.

Commissioner Lober questioned if that should not be taken to mean then that one proposal is not a far safer idea than the other from a liability standpoint, should it.

Attorney Jorandby advised it depends on the challenge at that point; they are very different plans and the County is only going to adopt one plan; and that is going to be the one, if there is a challenge, that will have to be addressed and what the issues are that court may see.

Commissioner Lober continued by saying in essence, to use the term acceptable in a similar fashion, it might be acceptable for someone who weighs 150 pounds to have four beers on an empty stomach and drive.

Attorney Jorandby replied it may, depends on the person.

Commissioner Lober asked simply in so far as she is most concerned, the term acceptable then, is he right to say that it essentially means a possible choice.

Attorney Jorandby commented they were both choices before the Committee and neither one hit that 10 percent that would make her concerned at that point; she saw the attempts by both plans to shift population and try to balance population; one addressed all five Districts and another addressed only two; but once again, going back to the court cases, the court will look at whether there were some articulable reasons why one district was under-populated versus another.

Commissioner Lober advised he will direct the rest of his comments to the Board; he stated he has talked about the oath that the Commissioners all swore to uphold; it means a lot to him as a person licensed to practice law, and he is not saying that it does not mean the same to each of them, but it means a lot to him; he is not suggesting that it is realistic to presume that the Governor would remove the Board Members if they were to support a plan that is not in keeping with the Constitution, but they absolutely have an ethical and a legal obligation to follow the County Charter, to follow the State's Constitution, irrespective of whether it is popular or convenient; this Board is charged with redistricting amongst the five Districts, not two of the five; the Board does not have to guess what that means; and the history of the Redistricting Committee itself makes it real simple, one only has to look at the second to last meeting to know that there was at least one other plan that was absolutely lawful and which had less than one quarter of the deviation or spread from the Plan that is being looked at this evening. He went on to say Board members can be removed for malfeasance or misfeasance, malfeasance being intentional conduct that is wrong or unlawful and misfeasance being a lower standard that may not have that intent; he reiterated he is not saying the Governor is going to remove any of them and he is not saying there is any likelihood of that, but to violate the oath of office, which this would do if the Board supports this, knowing what the options are and knowing what the County Charter requires, it is unbelievable to him; and this is something where one does not need a law degree if one were to talk to the County Attorney, this is fairly simple, and conservatives and often time Republicans slam judges for even the perception that they are legislating from the bench, this Board has no right to disregard the County Charter, or the State Constitution because either are inconvenient. He noted maybe he cares more because he is an attorney, but he feels extremely strong about this; for those who question his motives, he would ask how his District stands to gain or lose regardless of which plan the Board goes with; in fact, the Weiler Plan is less convenient for him because South Patrick Shores is not in a municipality, and all their problems become his problems; he would essentially be mayor of South Patrick Shores, having to take care of everything from garbage collection to speed humps, and that is a hassle that adds to his workload; the point is there is a lawful option and an unlawful option; and he thinks this is a no-brainer solution, even if it not a pleasant solution.

Commissioner Tobia stated to be clear, while he will not be voting in the affirmative of this Plan, the issues he has are not solved by the Weiler Plan; he would like to thank dedicated staff, Mr. Liesenfelt and the County Attorney, who put up with a diverse group of individuals, some that had a great deal of ideas and some that had less ideas, but he appreciates them being there to help facilitate this; in all

honesty he was not excited about the outcome, but the process was done above board and one that the Board can be proud of; and he is going to lay this out because he would throw this in his face if he was any one of them. He noted he had three appointees and he spoke with them at length before he appointed them, yet two of them voted for this plan; he is very happy with the one individual who was aligned with the issues he mentioned on March 5; it was clear to the Board, as well as his own appointees, that he had a certain moral and legal obligation when it came to this process, and that he would not vote for a proposal that did not ensure a minority candidate had an equitable shot at winning an election to this Board; and for those that do not believe racism is a problem in this County, one only needs to look at the action of one Brevard County's employees over Halloween who dressed in what is clearly a racist manner. He continued by saying those in the minority communities understand why this is a problem and he believes that they should have a realistic shot at sitting on the Board so issues like that can be addressed more effectively; it is not that current management does not take care of these issues seriously, as a group of white elected Policy makers, do not necessarily understand the issues facing minority communities; and while the Board does not have the ability to approve a plan that has not been presented to the Board, his motion foresees sending this back. He commented while the Fisher Plan was the one presented to the Board, he played around and came up with the Tobia Plan; so there is no confusion, he would have been very happy if any of his appointees would have presented this plan, but unfortunately they did not; and he will just go over the plan differences and the reasons. He stated the deviation Commissioner Lober was speaking of, the Fisher Plan, and the Plan that he has is lower, not greatly lower, but lower, not only that, the mean deviation; he has broken it down by the target Districts; one can see that his plan certainly each and every one is lower; and this is where the Charter kicks in and is breaking up municipalities. He continued by saying the plan the Board has in front of it breaks up Cocoa, Melbourne, Palm Bay, Rockledge, and West Melbourne; the plan he dealt with staff on only has one, that being Melbourne; obviously Melbourne has some unique features where it has beach, as well as mainland and there was no way to get around that; also the plan he had presents a better shot for minority population, one that is seven or eight points higher than even the highest one, the Fisher Plan; his goal coming out of here, and he thinks most people know this and certainly everyone on the Board does, he does not have the opportunity even if he had wanted to run, so this will have no impact on his electoral future, but he honestly believes that the Board has an obligation to help a community that has been overlooked time after time; he asked everyone to look at the faces that line the walls of past Commissioners, one can notice that they overwhelmingly look like today's Board members, to provide an opportunity to people in growing populations, is something that this Board can do today; and his motion would reject the recommendation of the Redistricting Committee with the suggestion that they send a recommendation that does at least, as well as a proposed plan, that was able to keep every municipality together with the exception of Melbourne and included a District in which the minority population would exceed 41 percent; it is possible and he is not saying it cannot be done better; and he would certainly support one that met those guidelines and went above that. He noted he mentioned this at the beginning of the year, that he could not support a plan that did not provide that opportunity; he does not know if this plan is legally defensible or not; he thinks the larger issue, and he does not know who would sue the County but clearly Commissioner Lober has laid out some grounds for that to be said and unfortunately put the County Attorney in a really tough spot; it is his right to ask those questions and he appreciates the way that she answered those questions, and hopefully Commissioner Lober would agree that this Board made a unanimous and correct decision when it selected her as County Attorney; and that is his motion. He concluded by saying he would like

to thank staff and the volunteer group who did this; and although he is not in favor of the current plan, he is 100 percent not in favor of the Weiler Plan because it does not perceive a District that is a minority majority, or at least an access District.

Commissioner Lober stated yes; and he inquired if the motion is to reject it, he just needs clarity as to what the motion is.

Commissioner Tobia replied the motion is to reject the recommendation of the Redistricting Committee with the suggestion that they send the Board a recommendation that does at least as good as his proposed plan, that was able to keep every municipality together with the exception of Melbourne, and include a District in which the minority population would exceed 41 percent; and he noted it is not to approve his plan, it is to approve a plan that is at least as good or potentially better than the plan that he laid out.

Commissioner Zonka stated she would like to hear the speaker cards first.

Chair Pritchett stated Commissioner Tobia said none of them on the walls look like the Board members, but she thinks her and Robin Fisher look a lot alike.

Rick Mariani stated as vice president of and in the name of the Board of South Patrick Residents Association (SPRA) he wishes to reaffirm their support and appreciation for the efforts and careful evaluation of at least 15 plans by the Brevard County Redistricting Commission that has resulted in the plan the Board will vote on today; he was not planning on speaking about this, but this is directed to Commissioner Lober; those in South Patrick Shores are not adjacent to District 2, they do not vote in District 2, their children do not go to school in District 2, and they do not wish to be a hassle or a nuisance to Commissioner Lober.

Lawrence Teitelbaum stated he is a member of the Tortoise Island Homeowners Association; his community is a 35-plus year old community comprised of 343 residences on the barrier island just south of Patrick Space Force Base and Pineda Causeway; he wanted to first thank the members of the Redistricting Committee for all their hard work in dealing with some very challenging issues in both providing a plan for the upcoming 10 years, taking Brevard County from where it is now with future growth to where it will be down the road; his community believes that the Fisher Plan, or whoever's name it has evolved to be at this point, is a superior plan that leaves Tortoise Island specifically as a singular community; otherwise, the competing plan at the last meeting would have divided them between about 50 homes in Satellite Beach and another 200-plus in unincorporated Brevard County, and that would be a major hardship to them because of having shared community services, et cetera. He continued by saying they are also a beachside community and they share a common interest with South Patrick Residents Association that the Board just heard from, as well as the City of Satellite Beach; over 50 of their residents and the Board of Tortoise Island have directly communicated with each Commissioner through email showing their support of the Fisher Plan; and they would urge the Board to approve the redistricting plan this evening. He expressed his appreciation to the Board for all their hard work and time.

Josiah Gattle stated he is a member of the Redistricting Committee that considered the over 15 maps; he thought it was important for a member that voted in the minority to speak with the Board today because there are a number of concerns that he has, that he believes going forward could cause

significant issues; the first of which is the most obvious and was brought up by Commissioner Lober on the variance issue; the variance issue is that the County be within one percent of that red flag area; this means they could have to come back and do the whole process, reconvene the 15 members, within five years, if they just take the estimates that Todd Pokrywa and The Viera Company have laid out, or some of the empty lots that are just sitting in Palm Bay that are ready to be built; the County will be at the point where it will have to redistrict and hit 25 percent variance, potentially within five years; and they will be right back there having to make some hard decisions. He mentioned he appreciates that there are hard decisions that have to be made, municipalities will have to move; the Weiler Plan which was one of the final two, moved about 40,000 people around the County and it is not pleasant; he is one of those people who would end up on just one side of that line, where he would go to District 1 and be far away from the majority of the population of District 1, but it was the right decision to make to focus on what is really trying to be achieved, which is one person, one vote; and he noted a person's vote in District 1 should not be worth nine percent more or nine percent less than what another district or Commissioner would be. He went on to say the County Commission represents equally each of the Districts in each of the concerns; part of that is the Municipal Service Taxing Unit (MSTU) process; in the process of the discussions, the MSTUs came up and one of the other things that came up, and was brought up by some of the proponents of the Hybrid Plan, was the vast population that is in unincorporated over 490 square miles in District 1; one of the reasons why the County needs to redistrict is to bring the populations up to even, so that the road MSTUs and stormwater MSTUs have equivalent or equal amounts, or as close as possible, so that the County can address the needs of those citizens in each of the Districts for those MSTUs to be properly funneled; and he thanked the Board for its consideration of both plans. He noted he does not necessarily advocate for any one of the remaining plans; and he advised he has set aside all three of his proposed plans, including the one that created an island district that was able to maintain a more equal population distribution than this one in front of the Board today.

Chair Pritchett thanked him for his service.

Sandra Sullivan stated she attended most of these meetings and she understands that the purpose of redistricting is to have equal representation for voting purposes; with 8.78 percent she does not feel that does that; she took some pictures of slides and she wants to read one of them; she read a slide from what she believes was the October 4 meeting, "as equal in population as possible or practical. Absolute population equality is impossible, minimize the deviation from the mean, less than three percent over, under ideal is good, population equals registered voters, two districts with population differences over 10 percent point raises red flag automatically"; she mentioned the point is as possible or practicable and definitely it is possible, and it is practicable that it could get a much closer variance than 8.78 percent; and she mentioned it is not to a certain plan, it is just that this plan does not meet that criteria, therefore, she thinks it should go back to the board. She went on to say she while Tortoise Island is an HOA, and they vote, and they pay into it, SPRA is like a Garden Club; SPRA is optional to join, they did not take a vote, and they represent only their paid-up members, which she would suggest are dwindling in recent years, with one newsletter out this year; Tortoise Island is very good and is acceptable to put forth an opinion; and as far as SPRA, they do not represent the community.

Phil Bennardo stated he is President of the North Merritt Island Homeowners Association and he really just wanted to thank the Redistricting Committee for listening to North Merritt Island's (NMI) concerns and acting on them; and early on there was a proposal to separate NMI from the rest of Merritt Island

and move them to District 1. H went on to say no hard feelings, but NMI had some serious concerns; they attended committee meetings, they spoke about it and the Committee listened and acted on it; and he just wanted to thank them for listening to NMI residents.

Chair Pritchett thanked Steve Crisafulli for doing an excellent job chairing the Redistricting Committee.

Commissioner Zonka stated she watched every one of those redistricting meetings and she thinks Mr. Crisafulli did a great job, especially when it got a little testy, he managed to keep everyone at bay and she thinks everyone appreciates his leadership; she asked that he forgive her for putting him on the spot; but she asked if he has ever sat on a redistricting committee for the County.

Steve Crisafulli replied not for the County.

Commissioner Zonka asked if he has done it for the State.

Mr. Crisafulli responded he has.

Commissioner Zonka advised Mr. Crisafulli if he does not want to answer her next question, she is fine with it; and she asked if he thinks it is appropriate for a County Commissioner to come and speak in favor or not in favor of a plan.

Mr. Crisafulli commented he will just say it is a much different process at the State level, and he thinks Commissioner Tobia would attest to it, than at the County level; at the State level everything is public record, everything is drawn into the public which is what it is supposed to be about, just like this process was; there is a difference in the process from which elected members would speak to redistricting at the State level versus at the local level; to be honest he believes across the 67 counties, 63 or 64 counties actually draw their own maps from the Commission level; therefore, it is just a totally different process. He responded at the County level it is acceptable for Commissioners to engage in the process.

Commissioner Zonka stated from her prospective, the Board had appointees to that board, therefore, Mr. Crisafulli being one of her appointees, she considered him to be her representation; she talked with him before and he had asked what her goals were; she is glad that ultimately that is the plan the County has; she apologized for placing him on the spot; and she noted she knows the very first time she saw one of the Commissioners at one of those meetings she felt very uncomfortable because she thinks there is an intimidation factor there and that it make people uncomfortable because the Commission is the Board that votes. She went on to explain that maybe it is a question of what is appropriate but no one would have seen her at that meeting; one only has to watch those meetings to see how many different types of maps that Redistricting Committee went through; and she appreciates his time and patience with the process.

Mr. Crisafulli stated he was honored to do it.

Commissioner Tobia advised he does not mind putting the former Speaker of the Florida House of Representatives, on the spot; he stated the Charter Commission is changing, and Mr. Crisafulli brought that up saying 60 something of the 67 counties draw up themselves; and he asked Mr. Crisafulli what his suggestion is and if he likes the process he just went through.

Mr. Crisafulli stated it is an interesting question because comparing it to the State level, the Legislature redraws their own seats, and to say there is a right way or a wrong way, he does not think there is a



right answer to that; he thinks the Committee works and it serves its purpose; is it different that the rest of the State, yes for the most part; he thinks from the understanding of the Committee members and the knowledge that they have about this County, the Board did a great job in selecting a group of people who understand the dynamics of this County, the future growth opportunities, the differences of what it is going to look like today versus what it is going to look like in 10 years; he reiterated he thinks the process works; obviously when there is redistricting with five people versus 160 people in the Legislature, it is a far different conversation because there is far more input from a multitude of angles in Tallahassee than there is if five or seven Commissioners in the State of Florida are drawing their own seat; and that was the difference between the local level and the State level, it was the engagement, from a standpoint of elected members. He continued by saying in Tallahassee people do not talk about themselves; in fact one is guaranteed to be deposed if one starts talking about their own interests in what one is doing; obviously at the County level, it happens in every County across the State; he noted they are two totally different processes; and he does not think they can even be compared to one another.

Commissioner Lober stated Commissioner Tobia and he himself were there and he asked Mr. Crisafulli if either of them tried to intimidate anyone or come across as aggressive.

Mr. Crisafulli noted the Commissioners spoke to their issues.

Commissioner Lober asked if he is aware, and he noted he is not and if Attorney Jorandby is aware he would invite her to answer as well, of whether there is any prohibition on any of the Board Members in reaching out individually to all 15 of the Redistricting appointees.

Mr. Crisafulli noted he does not know that there is.

Commissioner Lober stated personally he would rather have Commissioners having the conversations in the open, to the degree possible, at those meetings instead of reaching out in the dark and making the calls; and he asked, just out of curiosity, and if Mr. Crisafulli does not want to answer he does not have to, if he had Commissioners reach out to him regarding redistricting outside of the redistricting meetings.

Mr. Crisafulli responded affirmatively.

Commissioner Lober pointed out there is nothing wrong with that, but he would rather know what they are saying; he reiterated he has another question and if Mr. Crisafulli does not want to answer he does not have to; he mentioned he has nothing but respect for Mr. Crisafulli and if he did not he would tell him; he thinks Mr. Crisafulli was put in a tough spot and he did a stellar job; and he asked, after the second to the last meeting, he calls it the gauntlet meeting, where he took an astronomical number of plans and called it down to two, which is stellar on the Committees part. He asked if he had the impression that between that meeting and the final meeting, that some outside factor, actor, or actors stirred up a large part of District 4 residents to get them to reach out to Redistricting appointees, and perhaps to the Commissioners as well.

Mr. Crisafulli replied based on the email traffic, he has to believe that was the case.

Commissioner Lober stated he will touch on that little more once the Board is through with public comment; he thanked Mr. Crisafulli for everything he did with respect to the process; and even though he is not a fan of the Plan that is under consideration, the process was as good as it could be.

Mr. Crisafulli noted he wants to say on the record thank you to staff; and he noted Mr. Liesenfelt and Attorney Jorandby did stellar work on their part.

Commissioner Zonka thanked staff as well; she stated interestingly enough, that is why she chose Mr. Crisafulli, former Speaker of the House; she chose Jason Steele and Rich Workman because they have all redistricted at the State level, but at least they have been through the process; she thinks the Redistricting Committee did their job; her instruction to them was to keep the Districts as least disrupted as possible; and she noted it can be called the Weiler Plan, but it is really Commissioner Lober's Plan, it was the plan he promoted and the plan he spoke to the Board on. She added she has real issue and she felt real uncomfortable watching those meetings and seeing Commissioner Lober address the Committee and pushing his plan; she knows he may have the purest of intent, he obviously wanted them to go for his plan, but this is why there is a Committee; this is why there are appointees and the Board Members tell their appointees, even to the degree of supplying them with maps, which appears to probably be what has happened, this is what each Commissioner wants and wants their appointee to push; she does not think as a Commission that it was appropriate to go to those meetings and speak at just about every meeting on what he or she wants; and whether one meant to intimidate or not is not the question, she knows for herself she would have felt uncomfortable if she were an appointee and her Commissioner came to the meetings. She noted she knows Commissioner Tobia went but he did not speak or address the Committee.

Commissioner Tobia advised his appointees did not vote the way he wanted them to.

Commissioner Zonka noted one of her appointees had some health issues so he could not always be there, but he did his best; she asked Attorney Jorandby if the Board votes for this plan if it is disregarding the Charter.

Attorney Jorandby stated she will go back to the fact that she felt like both plans were acceptable under the Charter; there were definitely differences between the two; there is one that balanced population in all five districts versus only two districts; but they are both acceptable.

Chair Pritchett asked for clarification that the Board is not disregarding the Charter.

Commissioner Zonka asked for clarification that the Board is not disregarding the law; and she asked if Attorney Jorandby thought the Board Members were at risk of being removed from office by the Governor.

Attorney Jorandby replied no, she does not believe that.

Commissioner Zonka asked, should the Board vote for this plan would it be defensible.

Attorney Jorandby responded yes, she would defend any plan that the Board adopts, obviously; she reiterated she thinks either plan is acceptable; and she advised that is what she told the Committee that night before they did their final vote.

Commissioner Zonka advised she like Commissioner Tobia's idea, she just wishes he would have brought it to their Committee sooner so they would have had a chance to vet it; she would have been more interested to see it a lot sooner; she obviously cannot support what he is bringing tonight because she thinks they have done their due diligence and their job the best that they could; and that is all she has.

Commissioner Smith stated he found all of this very interesting; he sees a lot of emotion involved; anybody that has spent any time around him realizes that he tries to take emotion out of the issues and he looks strictly at the facts; for him, and at this point the Board does not have a crystal ball and the Board does not know what the growth is going to look like in 10 years; therefore, for him the Pokrywa Fisher Plan, it disrupts the least amount of people and that is really what he is looking to do at this point in time. He added from his perspective, three percent is the ideal, but it is not etched in stone and Attorney Jorandby made it clear many times; he thinks the majority of the appointed people that represented this Board endured a lot of meetings, they said a lot of words, they pushed a lot of ideas, and quite simply the majority, 9:6 or 10:5, whatever the vote was, the majority agreed with the Fisher Pokrywa Plan; they heard every single sentence, phrase, and reason to support or not support it; they heard Attorney Jorandby's response that either plan is defensible; and they voted, hopefully based on facts and not what he wants. He noted he thinks if the Board waits 10 years it will know where the growth is and that Committee will have firm numbers they can look at unemotionally and come up with another plan; and that is his prospective and why he will be supporting this.

Commissioner Tobia stated since there has not been a second, he will pull his motion.

Chair Pritchett asked if he wants to discuss any of this right now.

Commissioner Tobia responded he thinks he was pretty clear with there he was on it.

Chair Pritchett stated she wants to throw out a couple of things; first of all when Commissioner Lober really likes something, he fights for it; what is interesting to her on this, as she has always told him in the past what she loves the most about him is how he will be very, very risky with things to help get the good done moving forward legally; she watched all the meetings and she has to say this because it was brought up with Robin Fisher, he threw it out kind of saying to the County Attorney that if it is in the 10 percent, the Committee could get away without changing this at all; Attorney Jorandby stated yes, and the Chair asked if that was motion, because they were getting a little lighthearted with it; they were talking about understanding that whatever the Committee did they had a little flexibility to play with in doing what was best for the County; and she noted there were plans that came out, Robert Jordan one of her appointees presented one with bringing part of Merritt Island up to District 1 and work across. She advised she listened to them all and what she saw with Mr. Weiler and Commissioner Lober's Plan, it was interesting and moving things around, but what she got out of that was he is land tied and has no other place to grow, so he is going to need to take over other populations; she thinks it was very appropriate to pull some out of District 4 because they were concerned about District 4 growing; however, in the midst of this, as far as the land mass, District 1 is managing so much land mass up there in the unincorporated, the sewer, the garbage, it is just a lot in the unincorporated population; she saw where someone said Commissioner Smith has the most, and he does but he also has a Development of Regional Impact (DRI) in that so he does not have to give all the love that the others have to with the unincorporated; and looking at that, the Districts are not that far off. She mentioned it probably needed to move some of Commissioner Smith's District because he is in such a growth bloom, but District 1 is as well; she has 450 square miles of the entire County and in that area right now she has in permitting

6,900 houses which is a population of 11,732 which is going to put her up higher than all the other Districts by the end of this year; and when considering that and the growth still going on in there, this is not a perfect science, but she gets having to put more into District 2 because he does not have any place left for growth. She continued to say District 3 and District 5 are growing; District 4 has taken a lot of it lately; she thinks this is a good plan; she is very comfortable with it; if any of the Commissioners want to make any more tweaks to their own Districts she is good with that, but she really does not want any more population coming into District 1 right now because she has enough coming in; and she is going to support the plan that came along with the Hybrid, it is smart and a lot of focus went into it. She stated she spoke with her representatives often when they were telling her the reasons why they were doing things and what they were doing; she placed three brilliant people on the Committee in her opinion; she thinks it is a good board; there were a lot of conversations going on and not everybody got what they wanted, but that is government; and she will be voting to support this plan tonight.

Commissioner Lober stated he is not going to apologize for having gone to a public comment and having made public comment whereas he could have done it in the shadows where no one would know what direction or thoughts he had; he thinks any time one has an opportunity for transparency, especially when it costs nothing, people should strive to make use of that; and as far as hearing either plan is defensible, the exact words that Attorney Jorandby used were, "we would defend any plan". He asked if that is what was said.

Attorney Jorandby stated she would defend any plan the Board adopts.

Commissioner Lober stated he laid out ample foundation as to why he believes the particular plan under consideration is illegal; he does not think the Governor is going to remove anyone over this; what he is saying is it is a theoretical possibility, but if he were a betting man, he would bet it is not going to happen; that said, just because there may not be a consequence, does not mean that the Board should disregard its oath and do something that there is strong reason to believe or to know, is illegal; he has explained why and he is going to just have to agree to disagree with some others on the Board. He went on to say he thinks what he has to say is worth mentioning; he thinks some of these people who may be happy seeing the way this is going, do not have a reason to celebrate; at the second to the last meeting, the Redistricting Committee in a particular position at the last meeting...

Chair Pritchett stated she is going put him on a time if he will give her how much time he needs

Commissioner Lober stated one hour and she can bargain him down.

Chair Pritchett and Commissioner Lober agreed on six minutes.

Commissioner Lober stated the bottom line is there were some folks interfering at the very end scaring people in essentially suggesting that the sky was going to fall; a lot of people beachside in District 4 and on the mainland in District 4; there were people making arguments that had no specificity whatsoever; to look at the emails, what they lacked in quality they made up for in quantity; what he means is there were people saying they do not want the beachside calling shots for the mainland or vice versa, not realizing that Indian Harbour Beach, South Patrick Shores, and Satellite Beach are already in District 4 and it stretches to this location; his District has Cocoa Beach, Cape Canaveral, Patrick Space Force Base, he lives in Rockledge, and he has Cocoa, neither the beachside people nor the mainland people are interfering with the other in either District so it is irrelevant; where kids go to school, Brevard Public

Schools (BPS) does their own redistricting; he lives in County Commission District 2 but he lives in District 4 for BPS purposes, it does not change where kids would be going to school; and the fact that it was heard that South Patrick Shores is incompatible with District 2 is ridiculous. He added the name South Patrick Shores tells people everything, it is not called North Satellite Beach and there is a reason for that; it was essentially where the base housing, or a portion of it was for years; there is not a reason in the world that one could say that an area where an entity put their own people who enlisted, that they could not be in the same district as the Air Force Base, now the Space Force Base, it just does not make sense; he heard the sky would fall, about the quality of representation, efficiency of County services, and he noted he talked with staff and they laughed when he asked if he was missing something obvious, with respect to that; and the people in Tortoise Island, he respects the desire to stay in one District, he in fact offered a modification to Mr. Weiler's Plan. He continued by saying he was supportive of the Weiler Plan, it was not the Lober Plan; he offered a modification that was not even considered, but would have kept Tortoise Island within one particular District; the bottom line is it is already split between a municipality and unincorporated Brevard; if there was ever anything that would impact services that would be it; he has not seen any specific example of what would be harmed with respect to any of it; the bottom line is he always tries to avoid giving the squeaky wheel the grease unless they just happen to be right; Brevard County has over 600,000 people and there were some people who stirred the pot and got some people to the point where they were going bonkers over non-issues; bottom line is he does not believe he can ethically support his plan; he understands it is going to pass, but he has taken the oath a number of times to defend the State's Constitution; and Attorney Jorandby has already said she will defend any plan, she cannot say anything but that. He went on to say as Commissioner Tobia rightly pointed out, he put Attorney Jorandby in an awkward spot in essentially pushing to get answers to very specific questions; there is a reason the Board has access to staff outside of Commission meetings it is so there can be blunt conversations where there is not a concern that there is going to be a transcript that is going to be fed back to someone down the road; he noted he thinks it is a mistake to go down this road; he does not know if anyone will sue the County, but just because the County may or may not get sued does not mean that County should do something that is illegal anyway; and that is where he is at.

Chair Pritchett asked Attorney Jorandby if this plan is voted through is it illegal.

Attorney Jorandby responded she would not say it is illegal; she advised it is a difficult question right now and she knows Commissioner Lober is not going to be pleased with that answer, but it is not illegal; either plan that the Committee looked at that night is acceptable; the Committee voted for this plan; it fits within the parameters and there were adjustments to the Districts; and there was some testimony by one Committee member as to why they were under-populating.

Chair Pritchett interjected and asked once again if the Board voted this plan it is not breaking the law.

Attorney Jorandby responded the Board is not breaking the law.

Chair Pritchett stated that Attorney Jorandby's job is to listen to what the County Commission is trying to do and to make sure it is defensible because the Board Members are representing their community the best they can; and some of it might be on the line and some may be different creatively, but her job is to listen to what the Board does and figure out a way, if it is defensible.

Attorney Jorandby remarked that is correct.

Chair Pritchett advised she is very comfortable with doing this; and she asked for a motion.

Commissioner Zonka stated she moves to approve the recommendation of the Brevard County Redistricting Committee and to adopt the Resolution approving the 2021 Redistricting Committee Redistricting Plan, setting forth an accurate description of the new County Commission District boundaries; directing the Clerk to enter the Resolution into the Board minutes; and directing the County Manager, or designee, to publish notice of the Resolution and the description of the approved County Commission District boundaries.

Commissioner Smith seconded the motion.

The motion passes 3:2, with Commissioners Tobia and Lober voting nay.

The Board of County Commissioners, in regular session on November 9, 2021, approved the recommendation of the Brevard County Redistricting Committee; adopted Resolution No. 21-161, approving the 2021 Redistricting Committee Redistricting Plan, setting forth an accurate description of the new County Commission District Boundaries; directed the Clerk to enter the Resolution in the Board Minutes; and directed the County Manager, or his designee, to publish a notice of the Resolution and the description of the approved County Commission District Boundaries.



## REDISTRICTING PROPOSAL NOTES

### **Summary:**

This document provides information related to recommended redistricting changes as approved by the Redistricting Committee on October 18, 2021

### **Plan Stats:**

*Mean Deviation %: 2.66*

*Overall Range Deviation %: 8.78*

### **Proposal Notes:**

- PCA 6 (D4 to D2): 6698 population change, includes areas east of 519 & 95 using the Viera DRI as the southern edge ending at US1
- PCA 7 (D4 to D2): 1418 population change, includes areas east of US 1 to the Indian River south to Pineda Cswy

Demographic Summary: 2020 Census Data

NAME	Total Population	Hispanic	White	Black	Asian	Other Races
District 1	115623	9233 (7.99%)	86683 (74.97%)	12497 (10.81%)	2430 (2.10%)	1631 (1.41%)
District 2	122495	12348(10.08%)	88512 (72.26%)	13331 (10.88%)	3605 (2.94%)	1692 (1.38%)
District 3	126271	15966 (12.64%)	84494 (66.91%)	16616 (13.16%)	4558 (3.61%)	1845 (1.46%)
District 4	118962	12255 (10.30%)	90507 (76.08%)	5877 (4.94%)	5760 (4.84%)	1953 (1.64%)
District 5	123261	18105 (14.69%)	80740 (65.50%)	14896 (12.08%)	4330 (3.51%)	2131 (1.73%)

Demographic Change Summary based Proposed Edits

NAME	Total Population	Hispanic	White	Black	Asian	Other Races
District 1						
District 2	8116	763	6076	660	287	138
District 3						
District 4	-8116	-763	-6076	-660	-287	-138
District 5						

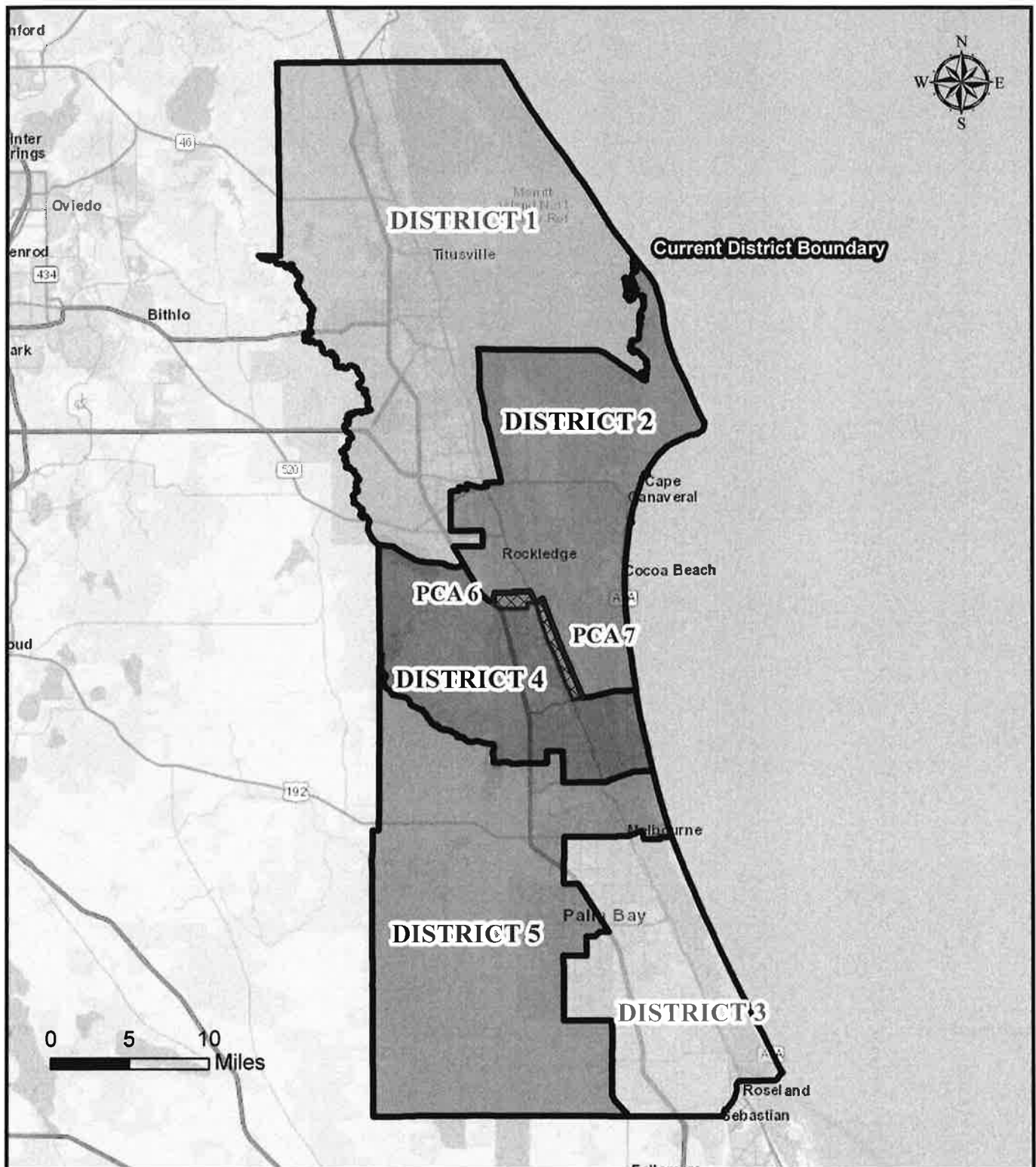
NAME	Proposed Changes	Target Population	Target Deviation	Target Deviation %
District 1	115623	121322	-5699	-4.7
District 2	122495	121322	1173	0.97
District 3	126271	121322	4949	4.08
District 4	118962	121322	-2360	-1.95
District 5	123261	121322	1939	1.6

Proposed Change Areas

NAME	# of Block Areas	Total Population	Description	Hispanic	White	Black	Asian
PCA 6	64	6698	D4 to D2	705	4816	647	265
PCA 7	34	1418	D4 to D2	58	1260	13	22

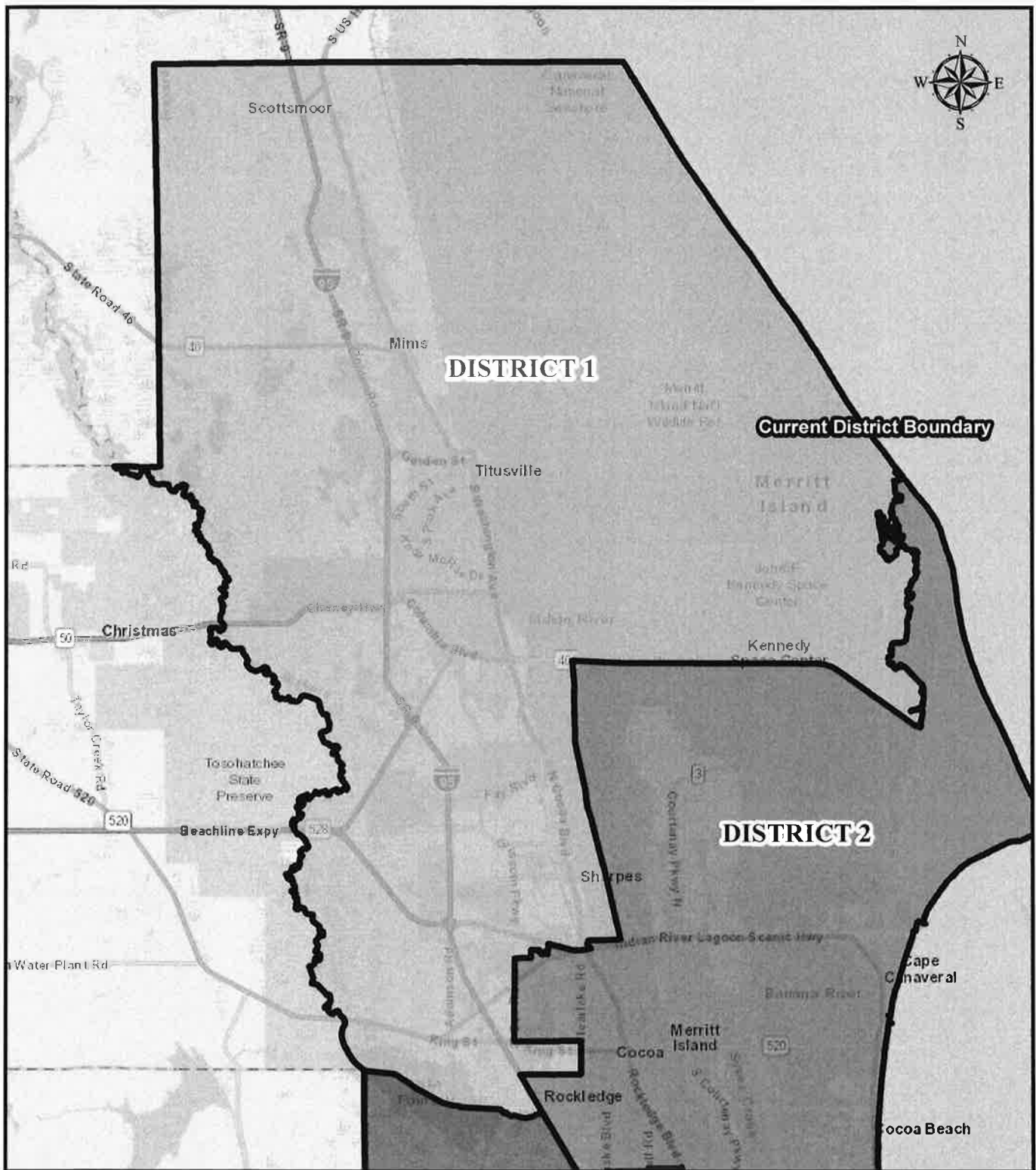
Mean Deviation:	3224
Mean Deviation %:	2.66
Overall Range Deviation:	10648
Overall Range Deviation %:	8.78





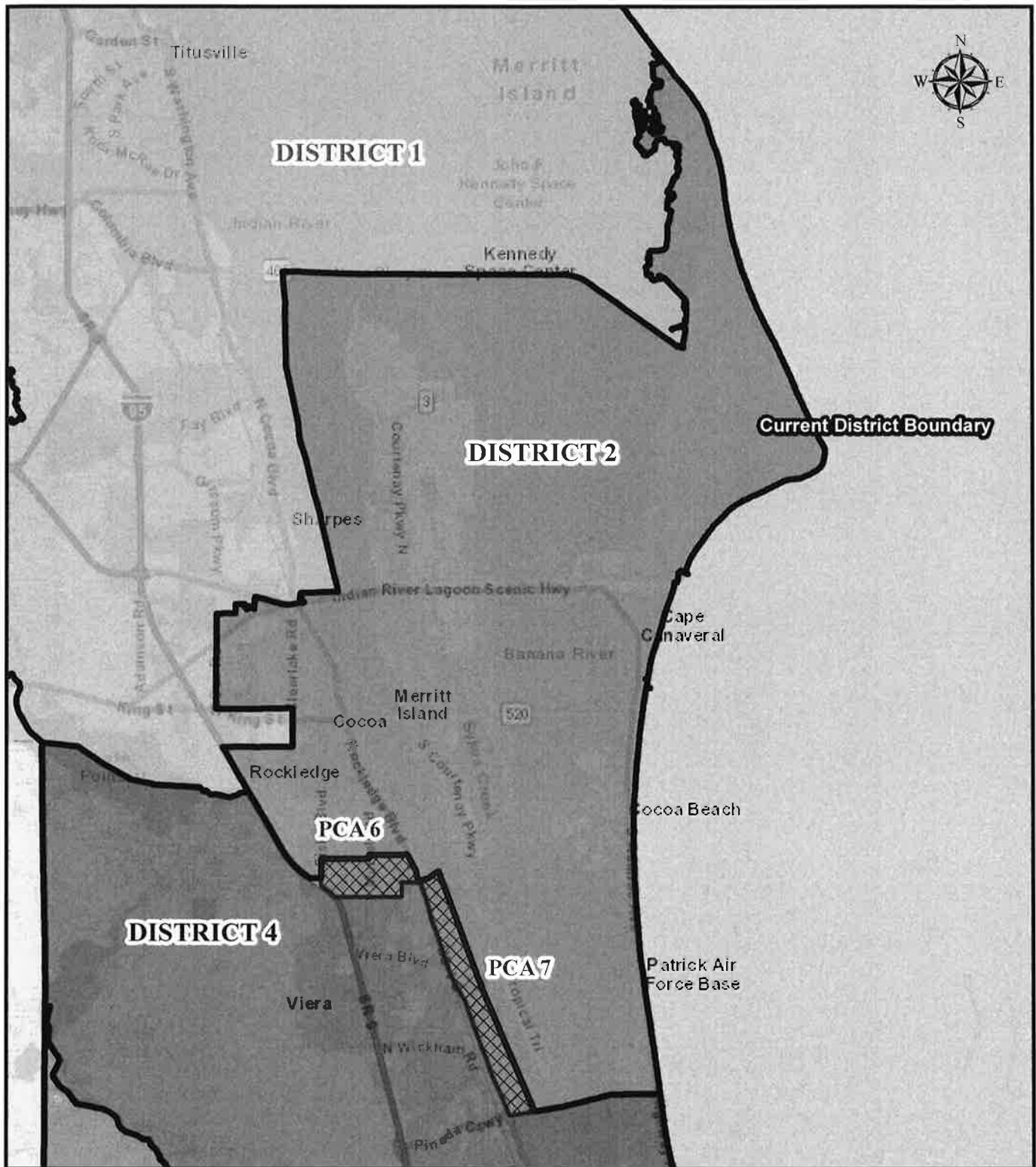
### Legend

	Proposed Change Areas		District 1		District 3		District 5
	Current District Boundary		District 2		District 4		



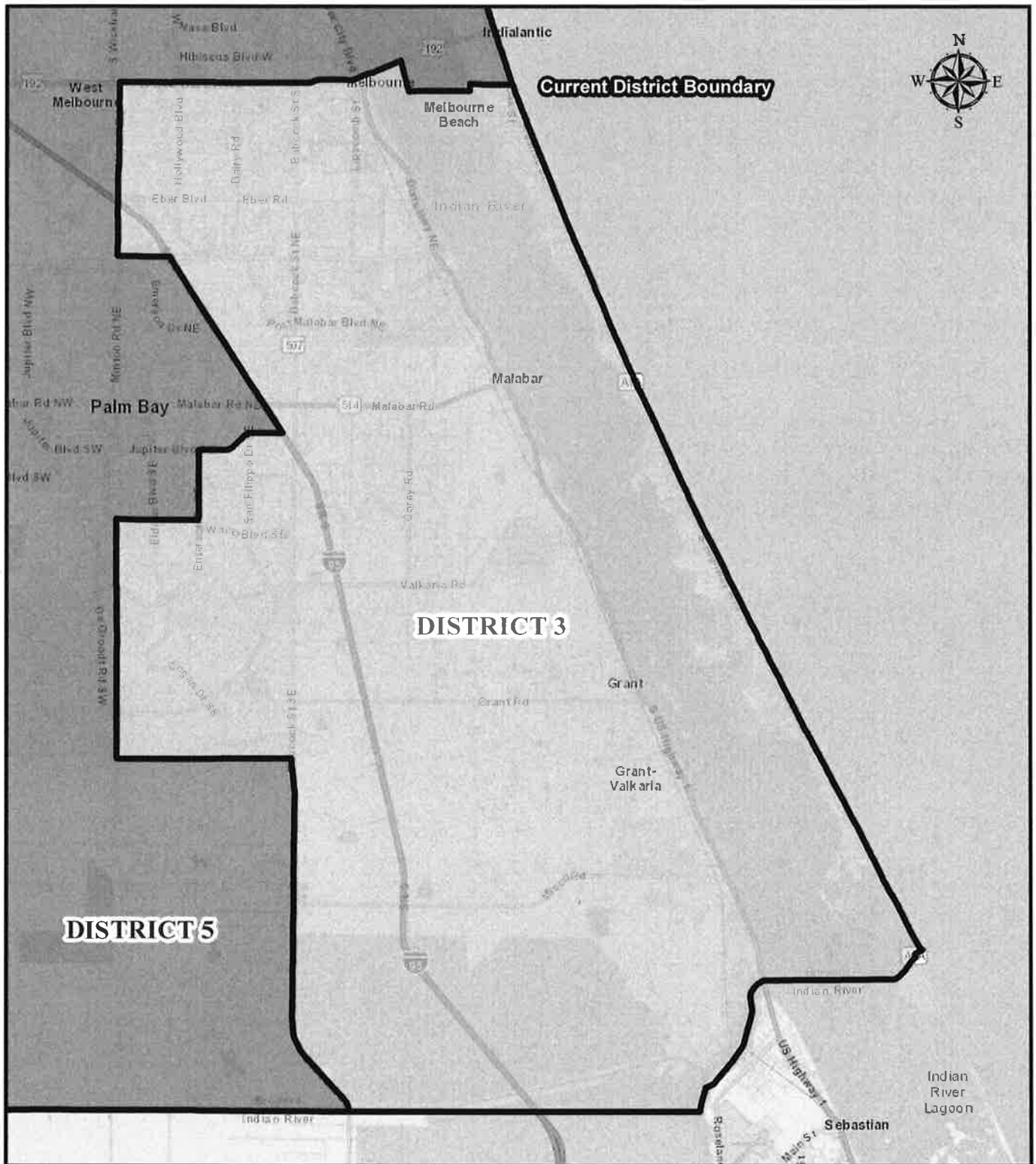
### Legend

	Proposed Change Areas		District 1		District 3		District 5
	Current District Boundary		District 2		District 4		



### Legend

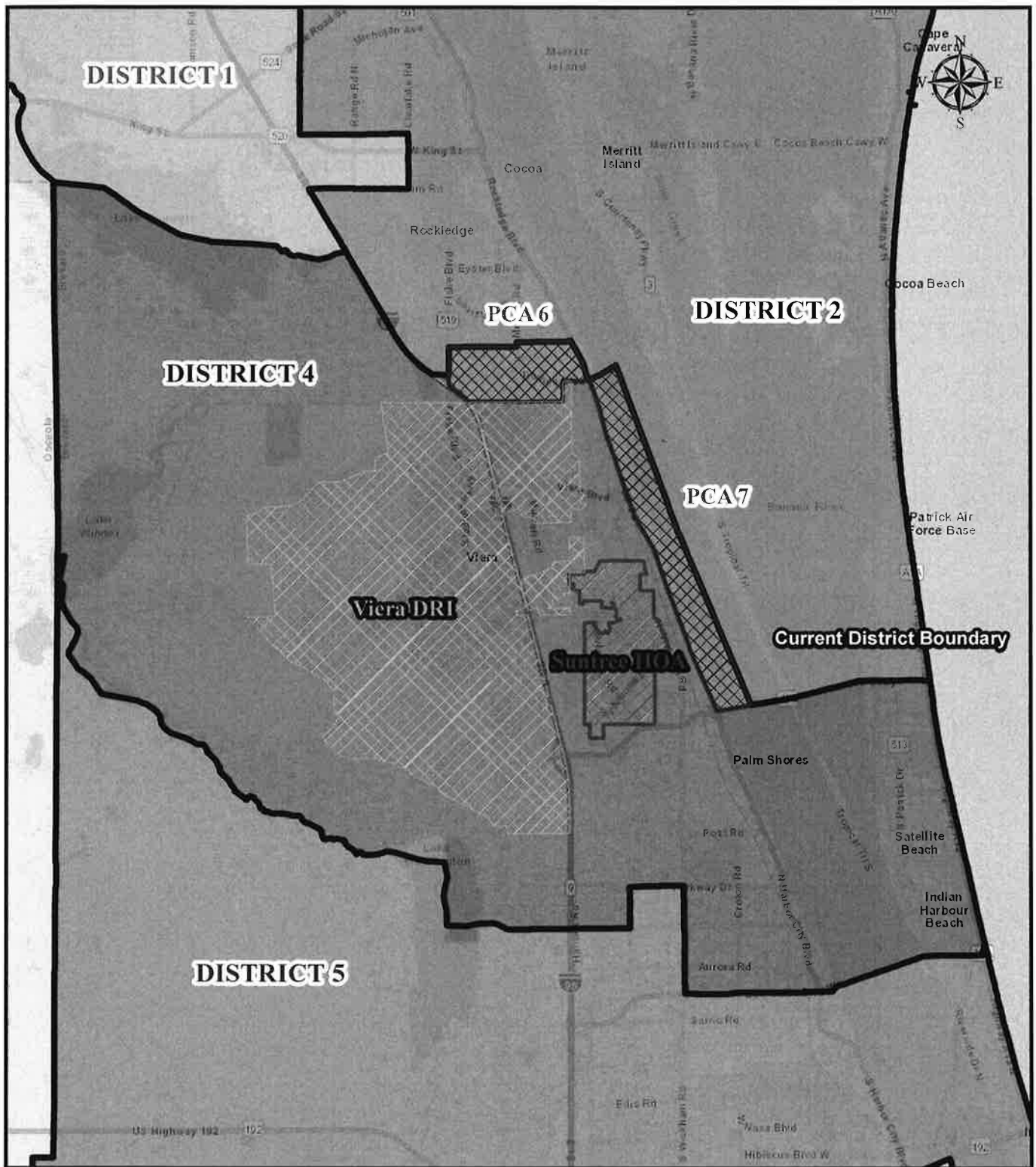
	Proposed Change Areas		District 1		District 3		District 5
	Current District Boundary		District 2		District 4		



### Legend

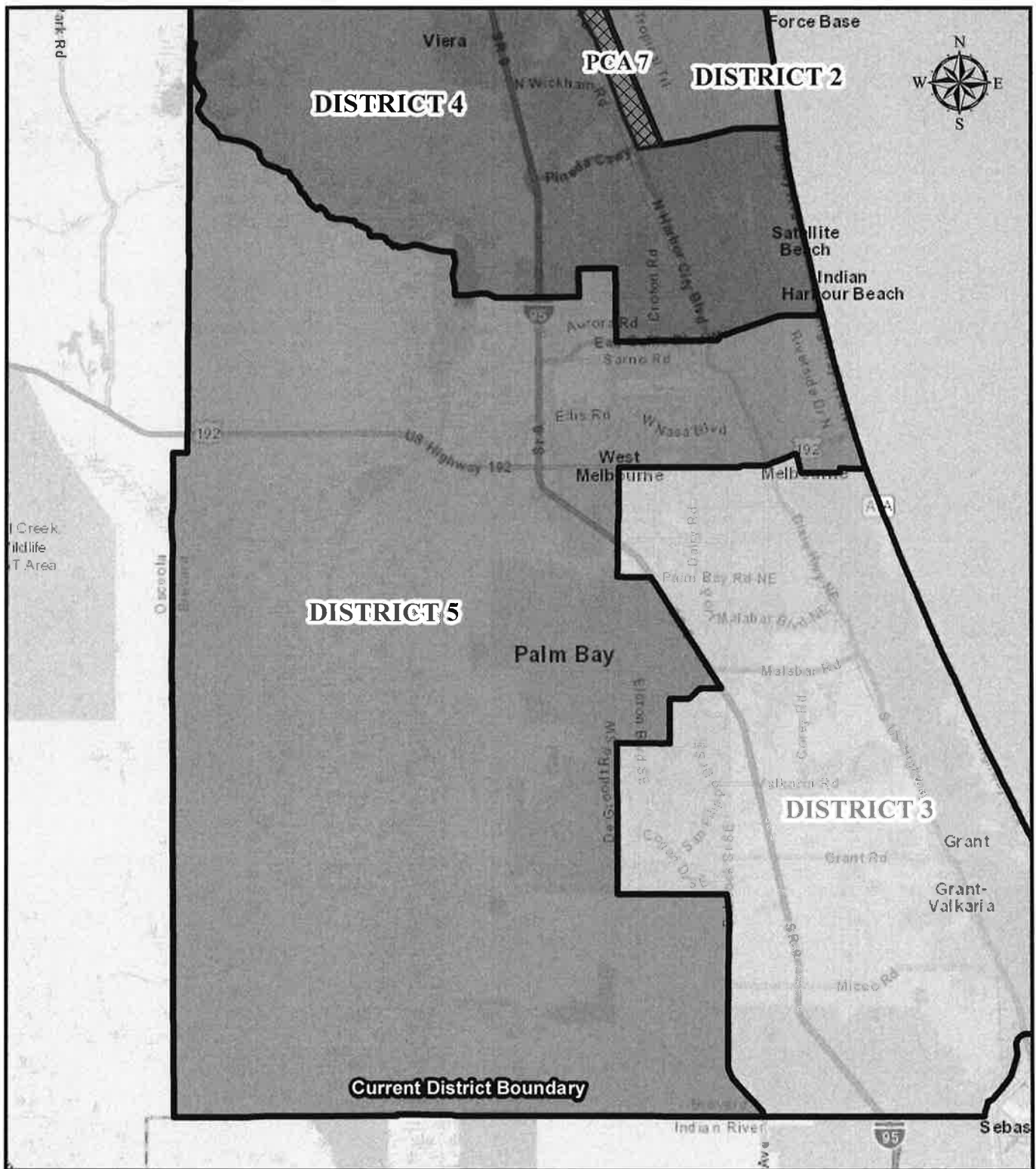
	Proposed Change Areas		District 1		District 3		District 5
	Current District Boundary		District 2		District 4		





### Legend

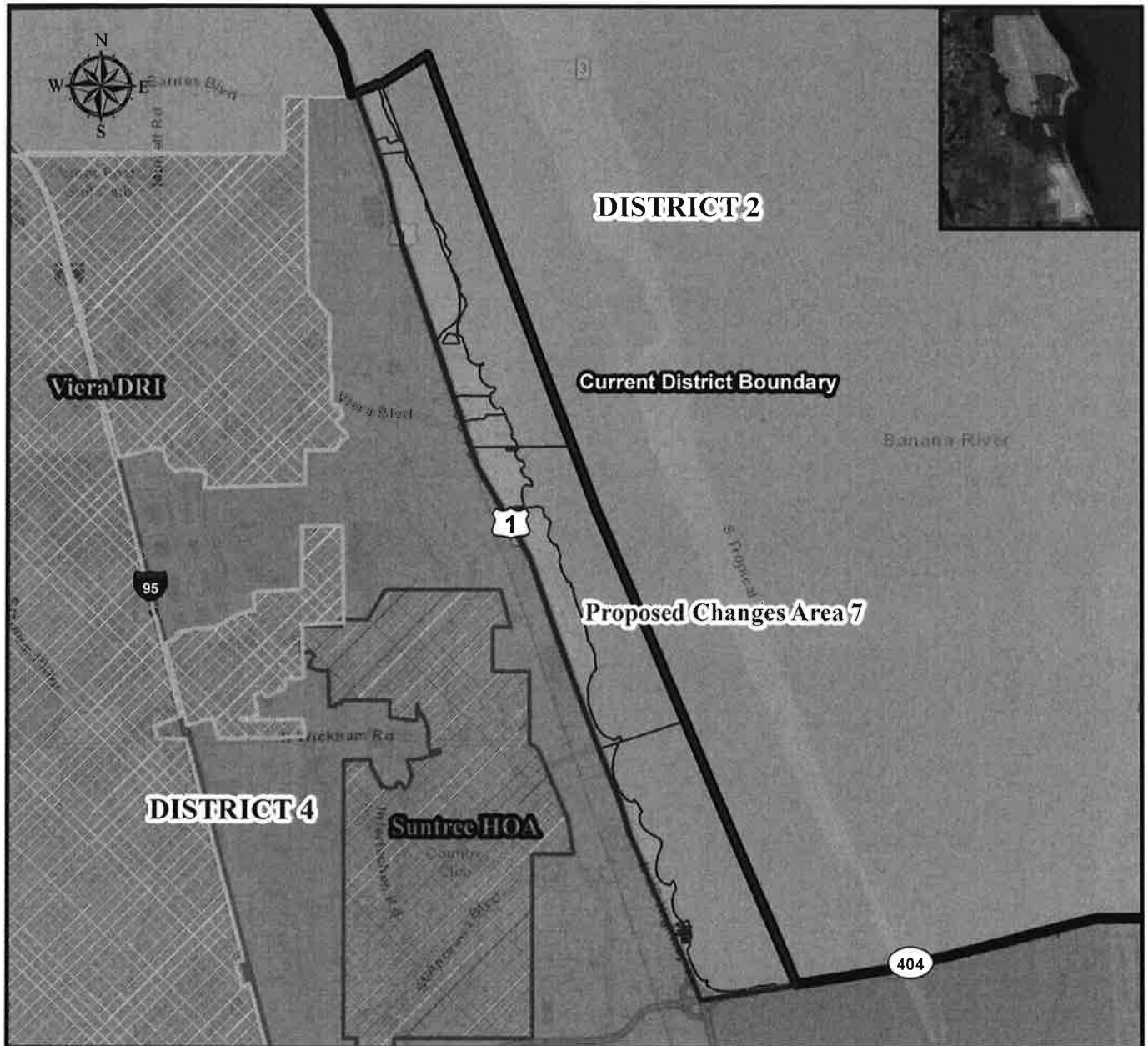
	Proposed Change Areas		District 1		District 3		District 5
	Current District Boundary		District 2		District 4		



### Legend

	Proposed Change Areas		District 1		District 3		District 5
	Current District Boundary		District 2		District 4		

















Voting Precincts Display

City Boundary Display

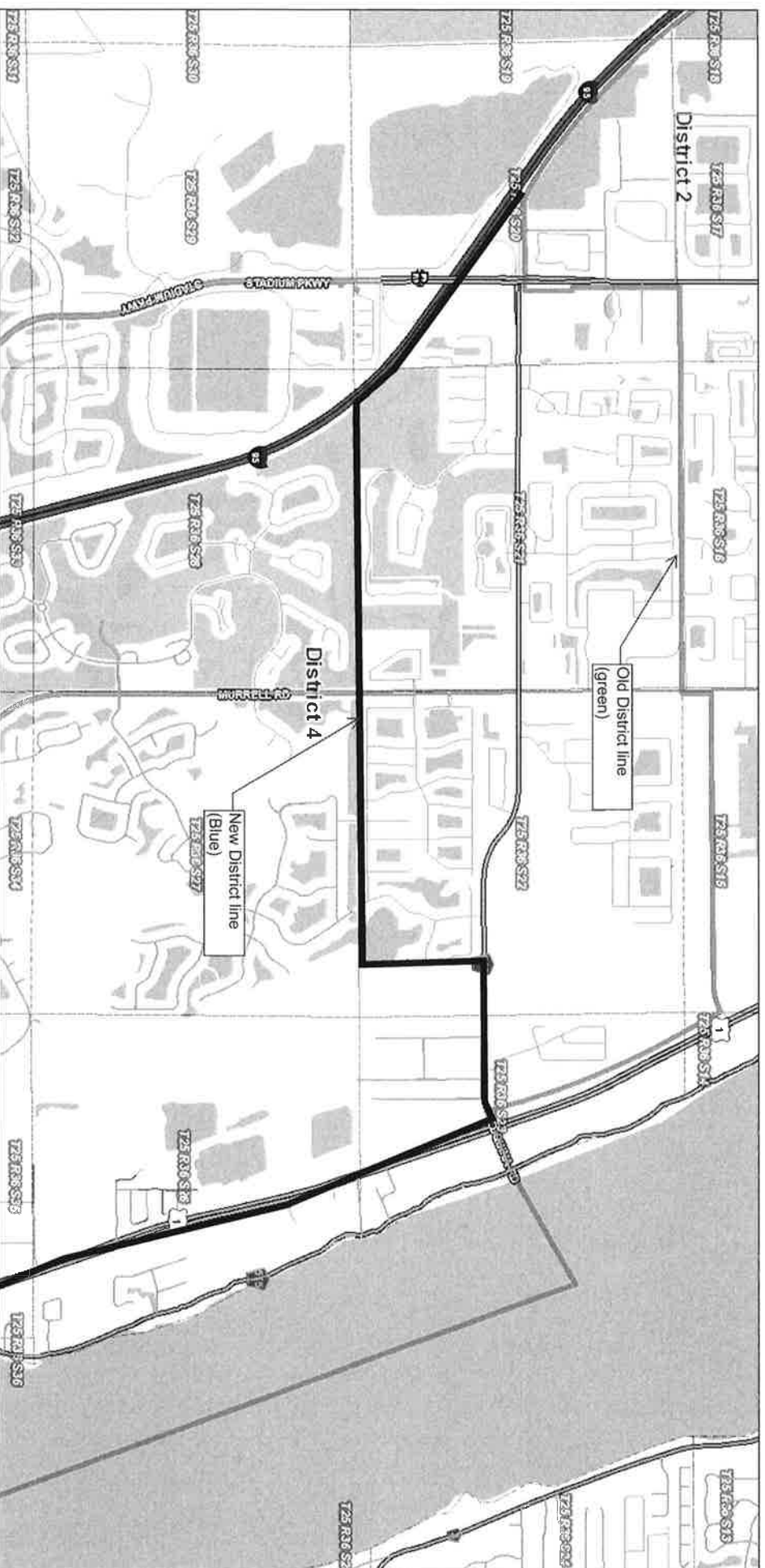


### Legend

-  Current District Boundary
-  Proposed Change Areas
-  PCA Census Blocks
-  Viera DRI Boundaries
-  Suntree Boundary
-  District 1
-  District 2
-  District 3
-  District 4
-  District 5
-  Voting Precincts
-  Municipality Boundaries



# ArcGIS Web Map



- County Maintained
- County
- County ROW/Non-Maintained
- Non-County (Bonded)
- PW Maintained Properties
- Facilities
- Heavy Equipment Fleet
- Road & Bridge
- Traffic Ops
- Commissioner Districts
- Section

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# **BREVARD COUNTY COMMISSION DISTRICTS**

**Adopted 2021**

## **District 1**

Beginning at the intersection of the North line of Township 20 South (Brevard/Volusia County Line) and the Mean High Water Line of the Atlantic Ocean;

Thence meander southerly along said Mean High Water Line of the Atlantic Ocean to the west line of Section 2, Township 22 South, Range 37 East;

Thence southerly along said west line to the centerline of Launch Complex 39A Bypass Road;

Thence westerly along said centerline and its westerly projection to the easterly Mean High Water Line of the Banana River;

Thence meander southerly along said Mean High Water Line and around Mosquito Control Impoundment T-28-A and T-28-B as located in sections 10, 14 and 15, Township 22 South, Range 37 East;

Thence continue southerly along said easterly Mean High Water Line of the Banana River to the centerline of NASA Parkway;

Thence westerly along said centerline to the centerline of the Intracoastal Waterway of the Indian River;

Thence southerly along said centerline to the easterly projection of the north line of High Point Section 2 Subdivision as recorded in Plat Book 19 Page 9, Public Records of Brevard County, Florida;

Thence westerly along said easterly projection of the North line of Plat Book 19 page 9 to the northwest corner of said plat;

Thence southerly along the west line of said High Point Section 2 to the North Right of Way line of High Point Drive;

Thence westerly along said North Right of Way line to the northerly projection of the West Right of Way line of Westchester Drive;

Thence southeasterly along said West Right of Way line to the northwest corner of Lot 3, Block D of said High Point Section 2;

Thence southerly along the west line of said Lot 3 and it's southerly projection to the centerline of the Beeline Expressway (S.R. 528);

Thence westerly along said centerline to the east line of Range 35 East;

Thence southerly along said Range line to the North Right of Way line of North Road;

Thence northwesterly along said North Right of Way line to the northerly projection of the East line of Block 3, Cocoa North Unit No. 2 as recorded in Plat Book 21, Page 101 of the Public Records of Brevard County, Florida;

Thence southerly along the East line of said Block 3 to the North Right of Way line of London Boulevard;

Thence westerly along said North Right of Way line to the West line of said Block 3;

Thence northerly, westerly, and northerly along said West line to the intersection of the North line of Cocoa North Unit 4 as recorded in Plat Book 26, Page 44 of said Public Records;

Thence westerly along said North line, to the West line of said Plat Book 26, Page 44;

Thence southerly along said West line to the North line of Cocoa North Unit 8 as recorded in Plat Book 31, Page 65 of said Public Records;

Thence westerly along said North line to the West line of said Plat Book 31, Page 65;

Thence southerly along said West line to the North line of Tax Parcel 514 lying in Section 13, Township 24 South, Range 35 East as recorded in Official Records Book 5976, Page 2267 of said Public Records;

Thence westerly along said North line and its westerly projection to the East Right of Way line of Cox Road;

Thence southerly along said East Right of Way line to the South Right of Way line of Lake Drive;

Thence easterly along said South right of Way line to the West Right of Way line of Clearlake Road;

Thence southerly along said West Right of Way line to the North Right of Way line of Pluckebaum Road;

Thence westerly along said North Right of Way line and its westerly projection to the East Right of Way line of Interstate 95;

Thence southerly along said East Right of Way line to the centerline of Rockledge Creek;

Thence westerly along said centerline and its westerly projection to the centerline of Lake Florence;

Thence meander westerly along said centerline to the centerline of Lake Poinsett;

Thence meander westerly along said centerline to the centerline of the St. Johns River, also being the county line between Brevard and Orange Counties;

Thence meander northerly along said centerline of the St. Johns River to the intersection of the Volusia, Brevard, Orange and Seminole County lines, said point also lying on the south line of Township 21 South, Range 33 East;

Thence easterly along said south line of Township 21 South, also being the county line between Brevard and Volusia Counties to the East line of Range 33 East;

Thence northerly along said East line of Range 33 East, also being the county line between Brevard and Volusia Counties to the North line of Township 20 South, also being the Northwest corner of Brevard County;

Thence easterly along said North Township line to the point of beginning.

## **District 2**

Beginning at the intersection of the west line of Section 2, Township 22 South, Range 37 East and the Mean High Water Line of the Atlantic Ocean;

Thence meander southerly along the Mean High Waterline of the Atlantic Ocean to the easterly projection of the centerline of Pineda Causeway (S.R. 404);

Thence westerly along said centerline to the centerline of the ~~Intracoastal Waterway of the Indian River~~ U.S. Highway No. 1;

Thence northerly along said centerline to the easterly projection of the North Right of Way line of ~~Coquina Road~~ Barnes Boulevard;

Thence westerly along said North Right of Way line to the northerly projection of the East boundary line of the plat of Plantation Point Phase One, lying in Section

22, Township 25 South, Range 36 East as recorded in Plat Book 48, Page 83 of the Public Records of Brevard County, Florida; to the West Right of Way line of Florida East Coast Railway;

~~Thence northerly along said West Right of Way line to the South Right of Way line of Gus Hipp Boulevard;~~

~~Thence westerly along said South Right of Way line to the East Right of Way line of Murrell Road;~~

~~Thence southerly along said East Right of Way line to the South Right of Way line of Roy Wall Boulevard;~~

~~Thence westerly along said South Right of Way line to the East Right of Way line of Fiske Boulevard;~~

~~Thence southerly along said East Right of Way line to the North Right of Way line of Barnes Boulevard;~~

Thence southerly along said East plat boundary line to the South plat boundary line of said Plat Book 48, Page 83;

Thence westerly along said ~~North Right of Way~~South plat boundary line and its westerly projection to the East Right of Way line of Interstate 95;

Thence northerly along said East Right of Way line to the westerly projection of the North Right of Way line of Pluckebaum Road;

Thence easterly along said North Right of Way line to the West Right of Way line of Clearlake Road;

Thence northerly along said West Right of Way line to the South Right of Way line of Lake Drive;

Thence westerly along said South Right of Way line to the East Right of Way line of Cox Road;

Thence northerly along said East Right of Way line to the westerly projection of the North line of Tax Parcel 501 lying in Section 13, Township 24 South, Range 35 East as recorded in Official Records Book 2613, Page 27 of said Public Records;

Thence easterly along said North line and its easterly projection to the West line of Cocoa North Unit 8 as recorded in Plat Book 31, Page 65 of said Public Records;

Thence northerly along said west line to the North line of said Plat Book 31, Page 65;

Thence easterly along said North line to the West line of Cocoa North Unit 3 as recorded in Plat Book 25, Page 90 of said Public Records;

Thence northerly along said West line and its northerly projection to the North line of Cocoa North Unit 4 as recorded in Plat Book 26, Page 44 of said Public Records;

Thence easterly along said North line to the West line of Block 3, Cocoa North Unit No. 2 as recorded in Plat Book 21, Page 101 of said Public Records;

Thence southerly, easterly and southerly along said West line to the North Right of Way line of London Boulevard;

Thence easterly along said North Right of Way line to the East line of said Block 3;

Thence northerly along said East line and its northerly projection to the North Right of Way line of North Road;

Thence easterly along said North Right of Way line to the east line of Range 35 East;

Thence northerly along said East line to the centerline of the Beeline Expressway (S.R. 528);

Thence easterly along said centerline to the southerly projection of the west line of Lot 3, Block D of High Point Section 2 as recorded in Plat Book 19 Page 9 of the Public Records of Brevard County, Florida;

Thence northerly along said west line to the southerly Right of Way line of Westchester Drive;

Thence northwesterly along said southerly Right of Way line to the North Right of Way line of High Point Drive;

Thence easterly along said North Right of Way line to the west line of said High Point Section 2 (Plat Book 19 page 9);

Thence northerly along said west line to the north line of said High Point Section 2;

Thence easterly along said north line and its easterly projection to the centerline of the Intracoastal Waterway of the Indian River;



Thence northerly along said centerline to the centerline of NASA Causeway;

Thence easterly along said centerline to the southerly projection of the easterly Mean High Water Line of the Banana River;

Thence meander northerly along said Mean High Water Line of the Banana River and around Mosquito Control Impoundment T-28-A and T-28-B as located in Sections 10, 14 and 15, Township 22 South, Range 37 East;

Thence continue northerly along the easterly Mean High Water Line of the Banana River to the westerly projection of the centerline of Launch Complex 39A Bypass Road;

Thence easterly along said centerline to the west line of Section 2, Township 22 South, Range 37 East;

Thence northerly along said west line to the Mean High Water Line of the Atlantic Ocean and the point of beginning.

### **District 3**

Begin at the intersection of the Mean High Water Line of the Atlantic Ocean and the South line of Indian River County, Section D as recorded in Plat Book 3, Page 93 of said Public Records;

Thence southerly along said Mean High Water Line to the centerline of the Sebastian Inlet, also being the county line between Brevard and Indian River Counties;

Thence meander westerly along said centerline and along the county line between Brevard and Indian River Counties to the centerline of Babcock Street (S.R. 507);

Thence northerly along said centerline to the North line of Township 30 South;

Thence westerly along said North line to the West line of Range 37 East;

Thence northerly along said West line to the North line of Section 18, Township 29 South, Range 37 East;

Thence easterly along said North line and its easterly projection to the centerline of Emerson Drive SE;

Thence northerly along said centerline to the centerline of Jupiter Boulevard SE;

Thence easterly along said centerline to the centerline of San Filippo Drive SE;

Thence due East to the centerline of Interstate 95;

Thence northwesterly along said centerline to the centerline of Palm Bay Road Northeast;

Thence westerly along said centerline to the East Right of Way line of Minton Road;

Thence northerly along said East Right of Way line to the centerline of Henry Avenue;

Thence northerly along the centerline of Meadowlane Avenue to the centerline of New Haven Avenue (US Highway 192);

Thence easterly along said centerline to the centerline of Strawbridge Avenue;

Thence easterly along said centerline to the centerline of Melbourne Causeway (US Highway 192);

Thence easterly along said centerline to the centerline of the Intracoastal Waterway of the Indian River;

Thence southerly along said centerline of the Intracoastal Waterway, plus/minus 3,160 feet;

Thence due East to the West line of Range 38 East said point lying 1 foot offshore;

Thence northerly along said Range line to the North line of Sunset Shores Subdivision as recorded in Plat Book 16, Page 63 of said Public Records;

Thence easterly along said North line and its easterly projection to the Mean High Water Line of the Atlantic Ocean and the point of beginning;

#### **District 4**

Begin at the intersection of the county line between Brevard and Orange Counties and the centerline of Lake Poinsett, said intersection lying on the West line of Range 35 East extended northerly;

Thence meander easterly along said centerline of Lake Poinsett and along the centerline of the Rockledge Creek and Lake Florence to the East Right of Way line of Interstate 95;

~~Thence southerly along said East Right of way line to the westerly projection of the North Right of Way line of Barnes Boulevard intersection with the South line of Section 21, Township 25 South, Range 36 East;~~

~~Thence easterly along the South line of said Section 21 and the easterly projection of said line through Section 22, Township 25 South, Range 36 East to the East line of the plat of Plantation Point Phase One as recorded in Plat Book 48, Page 83 of the Public Records of Brevard County, Florida; said North Right of Way line to the East Right of Way line of Fiske Boulevard;~~

~~Thence northerly along said East line and its northerly projection to the North Right of Way Line of Barnes Boulevard;~~

~~Thence northerly along said East Right of Way line to the South Right of Way line of Roy Wall Boulevard;~~

~~Thence easterly along said south Right of Way line to the East Right of Way line of Murrell Road;~~

~~Thence northerly along said East Right of Way line to the South Right of Way line of Gus Hipp Boulevard;~~

~~Thence easterly along said south Right of Way line to the West Right of Way line of Florida East Coast Railway;~~

~~Thence southerly along said West Right of Way line to the North Right of Way line of Barnes Boulevard;~~

~~Thence easterly along said North Right of Way line and its easterly projection along the North Right of Way line of Coquina Road to the centerline of the Intracoastal Waterway of the Indian River; U.S. Highway No. 1;~~

~~Thence southerly along said centerline to the centerline of Pineda Causeway (S.R. 404);~~

~~Thence easterly along said centerline to the Mean High Water Line of the Atlantic Ocean;~~

~~Thence southerly along said Mean High Water Line to the easterly projection of the North line of Irene H Canova Park (Tax Parcel 3 lying in Section 13, Township 27 South, Range 37 East as recorded in Official Records Book 3596, Page 891 of said Public Records);~~

~~Thence westerly along said North line to the East Right of Way line of State Highway A1A;~~

Thence southerly along said East Right of Way line to the South Right of Way line of Eau Gallie Boulevard;

Thence westerly along said South Right of Way line to the centerline of Montreal Avenue;

Thence westerly along said centerline to the centerline of US Highway 1;

Thence northerly along said centerline to the North Right of Way line of Eau Gallie Boulevard;

Thence westerly along said North Right of Way line to the West Right of Way line of Wickham Road;

Thence northerly along said West Right of Way line to the South Right of Way line of Parkway Drive;

Thence westerly along said South Right of Way line to the East Right of Way line of Turtlemound Road;

Thence southerly along said East Right of Way line to the South Right of Way line of Lake Washington Road;

Thence westerly along said South Right of Way line to the centerline of Lake Washington;

Thence northerly and westerly along the centerline of Lake Washington to the centerline of the St. Johns River;

Thence meander northwesterly along said centerline to the intersection of the West line of Range 35 East, also being the county line between Osceola and Brevard Counties;

Thence northerly along said West line of Range 35 East and the West line of Brevard County to the point of beginning.

#### **District 5**

Begin at the intersection of the Mean High Water Line of the Atlantic Ocean and the easterly projection of the North line of Irene H Canova Park (Tax Parcel 3 lying in Section 13, Township 27 South, Range 37 East as recorded in Official Records Book 3596, Page 891 of said Public Records)

Thence westerly along said North line to the East Right of Way line of State Highway A1A;

Thence southerly along said East Right of Way line to the South Right of Way line of Eau Gallie Boulevard;

Thence westerly along said South Right of Way line to the centerline of Montreal Avenue;

Thence westerly along said centerline to the centerline of US Highway 1;

Thence northerly along said centerline to the North Right of Way line of Eau Gallie Boulevard;

Thence westerly along said North Right of Way line to the West Right of Way line of Wickham Road;

Thence northerly along said West Right of Way line to the South Right of Way line of Parkway Drive;

Thence westerly along said South Right of Way line to the East Right of Way line of Turtlemound Road;

Thence southerly along said East Right of Way line to the South Right of Way line of Lake Washington Road;

Thence westerly along said South Right of Way line to the centerline of Lake Washington;

Thence northerly and westerly along the centerline of Lake Washington to the centerline of the St. Johns River;

Thence meander northwesterly along said centerline to the intersection of the West line of Range 35 East, also being the county line between Osceola and Brevard Counties;

Thence southerly along said West line of Range 35 East and the county line between Osceola and Brevard Counties to the South line of Township 30 South, also being the county line between Brevard and Indian River Counties;

Thence easterly along said South line and the county line between Brevard and Indian River Counties to the centerline of Babcock Street (S.R. 507);

Thence northerly along said centerline to the North line of Township 30 South;

Thence westerly along said North line to the West line of Range 37 East;

Thence northerly along said West line to the North line of Section 18, Township 29 South, Range 37 East;

Thence easterly along said North line and its easterly projection to the centerline of Emerson Drive SE;

Thence northerly along said centerline to the centerline of Jupiter Boulevard SE;

Thence easterly along said centerline to the centerline of San Filippo Drive SE;

Thence due East to the centerline of Interstate 95;

Thence northwesterly along said centerline to the centerline of Palm Bay Road Northeast;

Thence westerly along said centerline to the East Right of Way line of Minton Road;

Thence northerly along said East Right of Way line to the centerline of Henry Avenue;

Thence northerly along the centerline of Meadowlane Avenue to the centerline of New Haven Avenue (US Highway 192);

Thence easterly along said centerline to the centerline of Strawbridge Avenue;

Thence easterly along said centerline to the centerline of Melbourne Causeway (US Highway 192);

Thence easterly along said centerline to the centerline of the Intracoastal Waterway of the Indian River;

Thence southerly along said centerline of the Intracoastal Waterway, plus/minus 3,160 feet;

Thence due East to the West line of Range 38 East said point lying 1 foot offshore;

Thence northerly along said Range line to the North line of Sunset Shores Subdivision as recorded in Plat Book 16, Page 63 of said Public Records;

Thence easterly along said North line and its easterly projection to the Mean High Water Line of the Atlantic Ocean;

Thence northerly along said Mean High Water Line to the point of beginning.



## Donna Scott

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**From:** Kimberly Powell  
**Sent:** Thursday, January 27, 2022 9:30 AM  
**To:** Donna Scott  
**Subject:** FW: Display Ad for Monday Nov 29, 2021  
**Attachments:** 2021 Commissioner District Legal Description Final.pdf; 11-09-2021 Item J.3 redistricting verbatim.docx; Brevard County Commission Districts - App 11-9-21 Final.pdf; 2021 Approved Redistricting Packet.pdf; Display Ad - 12 2011.pdf

**Importance:** High

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**From:** Rivera, Teresa <Teresa.Rivera@brevardfl.gov>  
**Sent:** Monday, November 22, 2021 11:00 AM  
**To:** Brev Legals <brelegals@gannett.com>  
**Cc:** Jorandby, Abigail F. <Abigail.Jorandby@brevardfl.gov>; Kimberly Powell <Kimberly.Powell@brevardclerk.us>; Liesenfelt, Jim <Jim.Liesenfelt@brevardfl.gov>; Lewis, Sally A <Sally.Lewis@brevardfl.gov>  
**Subject:** Display Ad for Monday Nov 29, 2021  
**Importance:** High

Please place the attached Brevard County Redistricting Information in the general section of the paper two (2) times. First on November 29, 2021 and again on December 6, 2021.

The display ad should be a full page four (4) columns wide. The ad includes from left to right:

- NOTICE OF CHANGE OF BOUNDARIES OF BREVARD COUNTY COMMISSION DISTRICTS
- EXCERPT FROM THE MINUTES OF THE BOARD OF COUNTY COMMISSIONER MEETING OF NOVEMBER 9, 2021, ITEM J.3 APPROVAL, ADOPTION, AND ADVERTISEMENT FOR RECOMMENDATION OF REDISTRICTING COMMITTEE AND LEGAL DESCRIPTION FOR THE COMMISSION DISTRICT BOUNDARIES
- RESOLUTION 2021-161
- BREVARD COUNTY COMMISSION DISTRICTS Adopted 2021
- District 1
- District 2
- District 3
- District 4
- District 5
- November 29, 2021

STATE OF FLORIDA (COUNTY OF BREVARD)

THIS IS TO CERTIFY that the above is a true and correct excerpt from the Minutes of Item J.3 of the November 9, 2021, Board of County Commissioners of Brevard County, Florida's meeting, to the best of my knowledge.

WITNESS my hand and seal of said Board, this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

By \_\_\_\_\_  
Kimberly Powell, Clerk of the Board

At the end of the ad two columns wide insert the Map.



Please forward the invoice and proof of publication to:

Attention: Sally Lewis, County Manager's Office  
2725 Judge Fran Jamieson Way  
Bldg. C, Room 301  
Viera, Fl. 32940

Please note that a copy of the previous display ad from 2011 for this issue is also attached for your convenience. If you have any questions, please contact me at 321-633-2003.

Thank you very much,

***Teresa A. Rivera***  
Administrative Assistant to  
Assistant County Manager  
Jim Liesenfelt  
321-633-2003



"Under Florida Law, email addresses are Public Records. If you do not want your e-mail address released in response to public record requests, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."

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