REVISED DRAFT Work Group Recommendation
Expansion of County Commission Work Group

Work Group Members:

Jose Fernandez, Chair
Maribel Gomez Cordero
Edward DeAguilera
Pat DiVecchio
Eddie Fernandez

Summary of Recommendation

Over the past 5 months, the Expansion of County Commission Workgroup held six public meetings to hear public input and consider proposals relating to expanding the membership of the Orange County Commission. The workgroup reviewed the work of a similarly-tasked committee of the 2012 CRC, historical population information, and anticipated costs of implementing proposals for expansion. The workgroup further heard from members of the public expressing concerns related to the issues below of current County Commission districts.

After consideration of the information presented, the workgroup voted 4-1 to recommend to the full CRC an amendment to the Orange County Charter expanding the Orange County Commission from 7 members to 9 members, with 8 Commissioners (increased from 6) elected in single-member districts, plus a Mayor elected countywide.

The specifics of the proposal provide that the 2 additional single member districts be drawn ~~a~~ by the 2021 Redistricting Advisory Committee. ~~would be appointed in January 2017, and that they would finalize and deliver their recommendations for drawing the eight districts to the County Commission by September 1, 2017.~~ The County Commission would then approve a redistricting plan for all 8 single member districts by December 31, 2021 ~~November 1, 2017~~. The new commissioners would be elected in County's 2022 ~~2018~~ election cycle, with one of the two commissioners elected to an initial two year term to stagger the new commission seat elections.

Reasons for Recommendation

Doubling of Orange County Population Since 1988

First and foremost, Orange County has doubled in population (from roughly 621,000 to 1,253,000) since 1988, when a prior CRC successfully proposed a charter amendment expanding the County Commission from 5 at-large members to 6 commissioners elected in single-member districts plus a countywide Chairman. As a result, the representativeness and responsiveness adopted by the voters in their prior expansion of the County Commission has been eroded by this explosive population growth. When the current structure of the County

Commission was approved by the voters in 1988, the average population of each district was roughly 104,000. That average population has grown to roughly double in size at 209,000 per district.

Expanding the number of commissioners and county commission districts from six to eight would reduce the average per district population to roughly 157,000.

A majority of the workgroup found that the proposed decrease of population per district would enable members of the County Commission to be more responsive and representative of their districts.

"Infrastructure" for Future Population Growth

In a related vein, the workgroup also noted that the population of Orange County is not likely to stop growing any time soon, and that as the Florida economy improves, its rate of growth is likely to increase. As a result, an expansion of the County Commission not only addresses the population growth that has occurred to date, but anticipates the needs of the county with regard to future growth.

Potential Expansion of Opportunity for Minority Representation

In its discussions, the workgroup recognized that a number of representatives of Orange County's Hispanic community have advocated expansion of the County Commission since the County's 2011 redistricting process. Those representatives have argued that with two additional districts, and the attendant reduction in per-district population, it will become more likely that one or more of the districts will become a "minority-majority" district, thus, the representatives have argued, increasing the likelihood of election of an individual from that ethnic group.

Consideration of race and ethnicity in redistricting efforts is legally complex, and the workgroup's recommendation provides no requirement or guarantee in its text that a redistricting process will result in one or more Hispanic minority-majority districts. However, a majority of the workgroup found the arguments advanced by these community representatives to be consistent with the workgroup's more general finding that a decrease in population per district would enable County Commission members to be more representative of their districts.

Relatively Small Costs are Justified to Enhance Representation

The workgroup asked the Orange County Comptroller's Office to assemble information relating to the one-time and annual costs associated with adding two additional commissioners to the County Commission. While the costs are not trivial, they are exceedingly small in the context of a county budget of over $3.6 billion annually. Moreover, the relatively small costs are outweighed by the enhancement of representation in the County.

The Comptroller's Office estimated the one-time cost of a redistricting process in 2017 at $508,829, with an additional one-time cost of $359,980 to the Supervisor of Elections to implement the new districts. In addition, the Comptroller estimated a one-time capital cost of $750,000 to accommodate the two additional commissioners. This amounts to a cumulative one-time cost of $1,618,809, or roughly 0.044% of the FY 2016 Orange County budget of $3.6 billion. The Comptroller also estimated the annual recurring cost of personal services and operating expenses for two additional commissioners at $646,000, or 0.018% of the FY 2016 budget.

As the workgroup and members of the public discussed frequently, representative government costs money. Presumably money could be saved by eliminating most of the elected county commission seats and districts, but at an unacceptably heavy cost to the representativeness and responsiveness of the County Commission. Accordingly, a majority of the workgroup believed that achieving enhanced representativeness and responsiveness was worth the relatively small incremental cost.

As Mayor Jacobs Suggested, Topic of Community Discussion Worthy of Presenting to the Voters

At the September 10, 2015 meeting of the full CRC, Mayor Jacobs provided her thoughts on the proposal to add two county commission districts. She recognized that the expansion of the County Commission has been a topic of community discussion for a number of years. Particularly, it was the subject of specific community initiatives before at least the 2011 Redistricting Advisory Committee, the 2012 Charter Review Commission, and before the County Commission in 2012, as well as the subject of a proposed ordinance before the County Commission in 2014. While she was clear that she did not know how she would personally vote on such a proposal, she expressed her opinion that it was a topic worthy of placing on the ballot to allow the voters to decide on the matter. A majority of the workgroup concurs in the Mayor's assessment.

Arguments Against Expansion Proposal

Dilution of Power of Individual Commissioners/Districts

Concerns were raised that with the addition of two additional county commission districts and commissioners, the voting power of each member of the County Commission would be diluted.

Increased Parochialism

Concerns were also raised that in moving from 6 to 8 districts, encompassing smaller populations and geographic areas, that individual commissioners would be increasingly incentivized to focus only on the particular needs and interests of their districts, rather than the needs and interests of the County as a whole. Notably, this same argument was advanced in

1988 against moving from countywide elections to single-member districts for county commissioners.

Upfront and Recurring Cost

Concerns were raised regarding the costs referenced above, namely that while they are not large compared to the County budget, they are still substantial if expansion is not justified.

Expansion Does Not Guarantee Hispanic Commissioners

As noted above, the proposed expansion does not expressly require or guarantee the creation of minority-majority districts, and so concerns were raised that a reason advanced by community representatives for the proposed expansion may not be adequately resolved by the proposal.

Another Redistricting Process Scheduled for 2021

Per Section 202 of the County Charter, the county commission districts are scheduled for redistricting again in 2021, resulting in the dedication of resources to two county redistricting processes within a 4 year period if this proposal is implemented.

Concerns Raised by Commissioner DiVecchio

Commissioner DiVecchio raised a number of concerns relating to whether the proposal is necessary, some of which are embodied above. At his request, his complete list of concerns is attached.

From: Pat DiVecchio
To: Charter
Subject: Re: Schedule
Date: Friday, September 18, 2015 8:15:12 AM

Katie,

Per our discussion, I will not be able to attend the meeting on Sept 24th. Following are my comments on the Expansion of County Commission Districts from 6 to 8. Please forward to the other Members for inclusion in the final report.

- We shouldn't be doing this just to do it. A valid reason has yet to be established.
- The main reason that I have heard for the expansion, is to get Hispanic representation. Expansion cannot guarantee Hispanic representation and I question whether this reason is even legal.
- We have had Hispanic representation in the past, in the existing 6 Districts, one of which was Mayor Martinez.
- Commission Boyd gave an excellent description of the current workload for sitting Commissioners. As one of the busiest areas, he is not overwhelmed. So again, what is the problem?
- We haven't heard of ANY citizens who haven't been able to contact their Commissioners. What is the problem?
- It has been said, that the cost will be minimal, but why spend any money on something we don't need when we can spend it on something we do need.

Thank you,

Pat DiVecchio

On Wed, Aug 26, 2015 at 10:46 AM, Charter <charter2016@occompt.com> wrote:

> Thanks for your call this morning, Pat. This email confirms that you will not be in attendance during the Expansion of County Commission Districts work group meeting scheduled for 9/24. I will look for your email pertaining to those reasons you did not support the intended recommendation. Listing your opposition in bullet points will be sufficient for the presentation.

Katie Smith

Katie A. Smith

Deputy Clerk

Manager - Comptroller Clerk's Office

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For more information please visit our website at www.occompt.com.

Please consider the environment before printing this e-mail.

From: Pat DiVecchio [mailto:2015crc@gmail.com]
Sent: Wednesday, August 26, 2015 10:39 AM
To: Charter
Subject: Schedule

FYI:
I will out of town and not available for meetings on the following dates.

Sept 18th thru 26th

Oct 16th thru the 19th.