



*Office of*  
**INDIAN RIVER COUNTY  
ATTORNEY**

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Dylan Reingold, County Attorney  
William K. DeBral, Deputy County Attorney  
Susan J. Prado, Assistant County Attorney

**MEMORANDUM**

**TO:** Board of County Commissioners

**FROM:** Dylan Reingold, County Attorney

**DATE:** July 7, 2021

**SUBJECT:** County Commissioner Districts – Redistricting Based on the 2020 Decennial Census

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Article VIII, section (1)(e) of the Florida Constitution provides that “after each decennial census the board of county commissioners shall divide the county into districts of contiguous territory as nearly equal in population as practicable.” Additionally, section 124.01, Florida Statutes provides that “there shall be five county commissioners’ districts in each county, which shall be numbered one to five, inclusive, and shall be as nearly equal in proportion to population as possible.” Section 124.01, Florida Statutes, goes on to say that changes in county commissioner districts “shall be made only in odd-numbered years.” Although it is anticipated that the 2020 Decennial Census will not be completed until September 2021, the County Attorney’s Office believes that it is important to start the process of getting ready for redistricting.

This agenda item is intended to raise the issue in a public meeting for the first time, to initiate general discussion with the Indian River County Board of County Commissioners (“Board”) and to begin the process of public education and awareness. The ultimate objective is to establish commissioner districts which (1) meet the Florida constitutional and statutory requirement that they be nearly equal in population, (2) do not violate any other overriding law (such as the federal Voting Rights Act) by disenfranchising or minimizing the political impact of any social or ethnic group, and (3) are established through an open and transparent process with full opportunity for citizen input.

The plan is that the process will be completed using County staff working with the Supervisor of Elections, with input from the School Board and municipalities. The County Attorney’s Office recommends that the Board consider the following initial proposed schedule for the redistricting process:

- July 13, 2021 - general discussion by the Board, including adoption of a schedule to complete the redistricting process
- August 17, 2021 - first public hearing by the Board to discuss redistricting plans and criteria, to solicit public input, and to adopt a final plan setting forth the criteria upon which the new districts will be based. The County Attorney's office will prepare a proposed plan prior to the meeting
- Between August 17, 2021 and October 19, 2021 - County staff, working with the Supervisor of Elections and municipal representatives who wish to participate, will develop conceptual district maps. Upon development, the maps will be posted by the County and Supervisor of Elections on their websites and at their facilities. Any other local government, including the School Board and other municipalities, will be invited to post the conceptual maps as well
- October 19, 2021 - second public hearing by the Board to discuss the conceptual maps, solicit public input, and provide final instructions to staff for the development of a final proposed map
- Between October 19, 2021 and December 7, 2021 - County staff will develop a final proposed map. Upon development, the map will be posted in the same manner outlined above for the conceptual maps
- December 7, 2021 - third and final public hearing by Board to discuss the final proposed map, solicit public input and adopt a final district map

The attached schedule has been provided to the School Board and municipalities. Please be aware that this schedule may change due to the timing of receiving the 2020 decennial census data.

### **FUNDING.**

Work will be performed by County and Supervisor of Elections staff. The Supervisor of Elections has already included anticipated redistricting costs in the proposed FY 2021 – 2022 budget.

### **RECOMMENDATION.**

The County Attorney recommends that the Board generally discuss the redistricting objectives and process, raise any issues of concern, consider the above schedule and, if it is acceptable, adopt the schedule.