



CITY OF MARIANNA

Post Office Box 936
Marianna, FL 32447
(850) 482-4353 Fax (850) 482-2217

Districting Commission Second Meeting November 30, 2021 City Charter Part I Section 6.05 Commission Districts

AGENDA

1. Recap
 - a. Why We Are Here
 - b. Apalachee Regional Planning Council (ARPC)
 - c. Existing Districts
2. ARPC – Recap of Presentation
3. Proposed Changes
4. Adjourn



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Districting Commission First Meeting October 26, 2021 City Charter Part I Section 6.05 Commission Districts Adjustment of Districts

AGENDA

1. Introductions
2. Why We Are Here
 - a. City Charter
 - b. Federal Case No. MCA-83-2064-MMP
3. Apalachee Regional Planning Council (ARPC)
 - a. Existing Districts
 - b. Current Data
4. Discussion on Potential Changes to Districts
5. Adjourn

To: Nicholas Warren <NWarren@aclufl.org>; Jim Dean <jdean@mariannafl.city>
Subject: RE: Jackson redistricting – NAACP/ACLU proposed map

Jim said the city meeting was posted on the bulletin board. We have a city commission meeting tonight. The city hired ARPC to handle it I don't think it on the agenda but I may discuss it in general terms.

Is there a way I can look up another county and see the districts? I have some that are not under the court order that I'd like to look at. I guess what I'm saying is there a search function for a particular county that will show the districts?

Matt

From: Nicholas Warren <NWarren@aclufl.org>
Sent: Tuesday, November 2, 2021 10:03 AM
To: H. Matthew Fuqua <mfuqua@fmc.legal>; Jim Dean <jdean@mariannafl.city>
Subject: Re: Jackson redistricting – NAACP/ACLU proposed map

Ah I see. The city citizens' committee didn't meet? Linda Franklin said she listened in on a meeting.

From: H. Matthew Fuqua <mfuqua@fmc.legal>
Sent: Tuesday, November 2, 2021 10:56 AM
To: Nicholas Warren <NWarren@aclufl.org>; Jim Dean <jdean@mariannafl.city>
Subject: RE: Jackson redistricting – NAACP/ACLU proposed map

The city didn't have a meeting. The school board had on that was noticed. It was at 7:00 on Tuesday I think.

From: Nicholas Warren <NWarren@aclufl.org>
Sent: Monday, November 1, 2021 4:47 PM
To: H. Matthew Fuqua <mfuqua@fmc.legal>; Jim Dean <jdean@mariannafl.city>
Subject: Re: Jackson redistricting – NAACP/ACLU proposed map

[Here's a \(totally hypothetical\) example map](#) that brings all the deviations under 100 changes but doesn't make too many changes.

Another thing to think about: the city could choose to take Sunland out (pop. 228) as a matter of policy. That would make all existing districts equal I think, no need for any changes.

Was last week's committee meeting noticed? I don't see the notice/agenda online with the other city committees.

N

From: H. Matthew Fuqua <mfuqua@fmc.legal>
Sent: Monday, November 1, 2021 2:52 PM
To: Nicholas Warren <NWarren@aclufl.org>; Jim Dean <jdean@mariannafl.city>
Subject: RE: Jackson redistricting – NAACP/ACLU proposed map

The hardest time I'm having is getting the correct black votes to move between the two black districts.... It's really not as far off as I thought it was.



APALACHEE REGIONAL PLANNING COUNCIL

Local Partnerships, Regional Impact.

Marianna 2020 Census Data

Divina Lade, GIS Specialist

26 October 2021





APALACHEE REGIONAL PLANNING COUNCIL
Local Partnerships, Regional Impact.

Social Explorer Tables(SE), Census 2020 - PL94 Redistricting Data, U.S. Census Bureau; Social Explorer

Statistics	Jackson County, Florida					Marianna City, Florida				
SE.T4. Race										
	2010	2020	Change	% Change	Change % Points	2010	2020	Change	% Change	Change % Points
Total Population	49,746	47,319	-2,427	-4.9%	0.0%	6,832	6,245	-587	-8.6%	0.0%
White	34,373 69.1%	31,381 66.3%	-2,992	-8.7%	-2.8%	3,613 52.9%	3,116 49.9%	-497	-13.8%	-3.0%
African American or Black	13,231 26.6%	12,150 25.7%	-1,081	-8.2%	-0.9%	2,863 41.9%	2,515 40.3%	-348	-12.2%	-1.6%
American Indian and Alaska Native	335 0.7%	225 0.5%	-110	-32.8%	-0.2%	42 0.6%	22 0.4%	-20	-47.6%	-0.3%
Asian	239 0.5%	294 0.6%	55	23.0%	0.1%	62 0.9%	115 1.8%	53	85.5%	0.9%
Native Hawaiian and Other Pacific Islander	51 0.1%	18 0%	-33	-64.7%	-0.1%	4 0.1%	6 0.1%	2	50.0%	0.0%
Other	596 1.2%	986 2.1%	390	65.4%	0.9%	76 1.1%	121 1.9%	45	59.2%	0.8%
Two or More Races	921 1.9%	2,265 4.8%	1,344	145.9%	2.9%	171 2.5%	350 5.6%	179	104.7%	3.1%
SE.T5. Hispanic Status										
	2010	2020	Change	% Change	Change % Points	2010	2020	Change	% Change	Change % Points
Total Population	49,746	47,319	-2,427	-4.9%	0.0%	6,832	6,245	-587	-8.6%	0.0%
Non-Hispanic	47,603 95.7%	45,104 95.3%	-2,499	-5.2%	-0.4%	6,543 95.8%	5,950 95.3%	-593	-9.1%	-0.5%
Hispanic	2,143 4.3%	2,215 4.7%	72	3.4%	0.4%	289 4.2%	295 4.7%	6	2.1%	0.5%

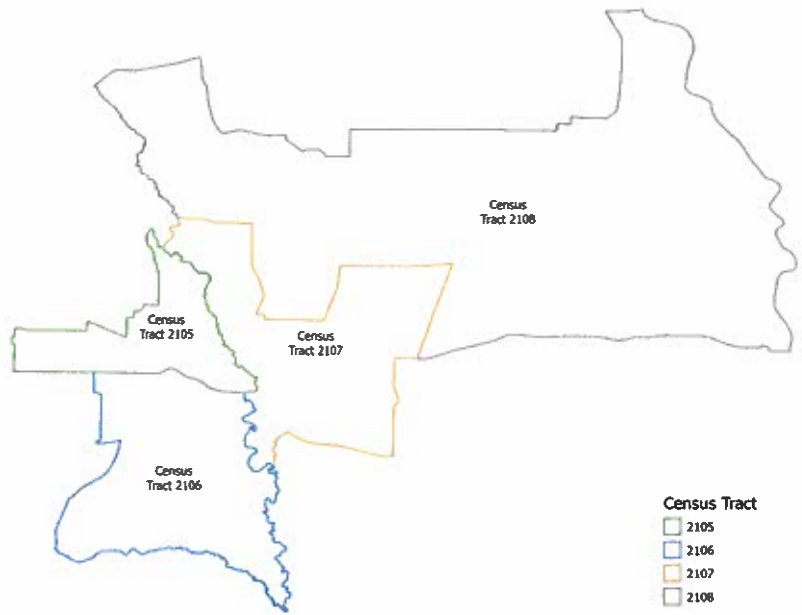
City of Marianna: 2020 Census Data



APALACHEE REGIONAL PLANNING COUNCIL
Local Partnerships, Regional Impact.

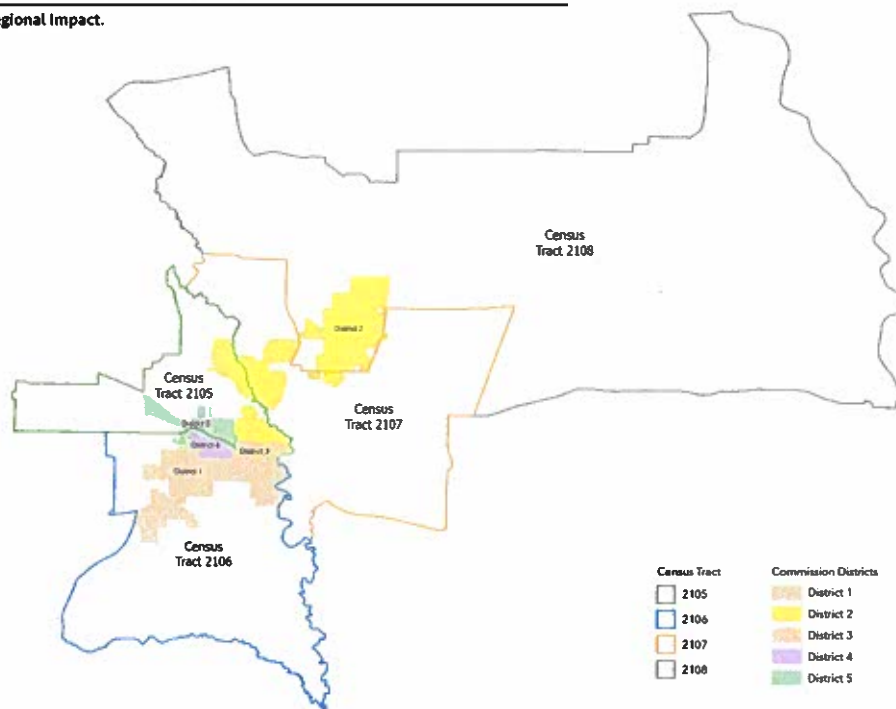
Census Tract Data | Census 2020

Census Tract	Total Population (Census 2020)
2108	4196
2107	4111
2106	4771
2105	3659





APALACHEE REGIONAL PLANNING COUNCIL
Local Partnerships, Regional Impact.

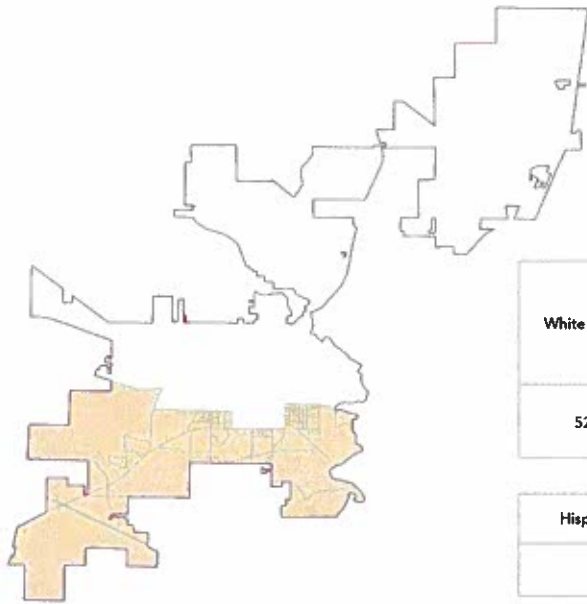


City of Marianna: 2020 Census Data



APALACHEE REGIONAL PLANNING COUNCIL

Local Partnerships, Regional Impact.



<i>District</i>	<i>Total Population</i>	<i>Census Tracts</i>
1	1, 318	2106

White Alone	Black or African American	American Indian and Alaskan Native	Asian Alone	Native Hawaiian and Other Pacific Islander alone	Some Other Race Alone	Two or more races
526	692	1	5	1	20	73

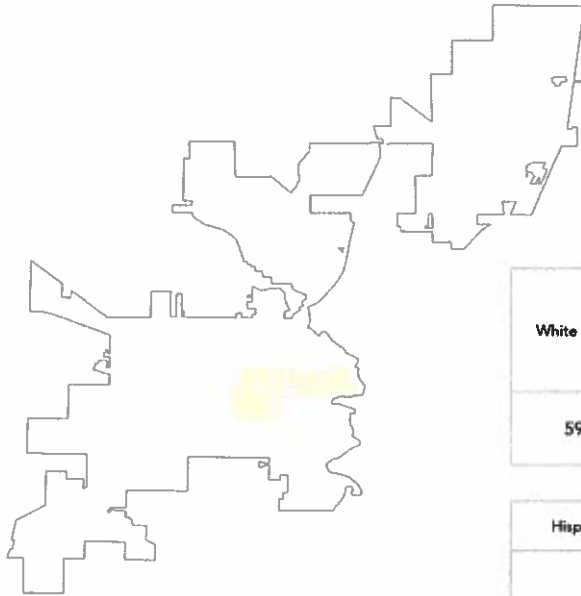
Hispanic or Latino	Non- Hispanic or Latino
46	1, 272

City of Marianna: 2020 Census Data



APALACHEE REGIONAL PLANNING COUNCIL

Local Partnerships, Regional Impact.



<i>District</i>	<i>Total Population</i>	<i>Census Tracts</i>
3	945	2105, 2106

White Alone	Black or African American	American Indian and Alaskan Native	Asian Alone	Native Hawaiian and Other Pacific Islander alone	Some Other Race Alone	Two or more races
591	252	6	4	3	34	55

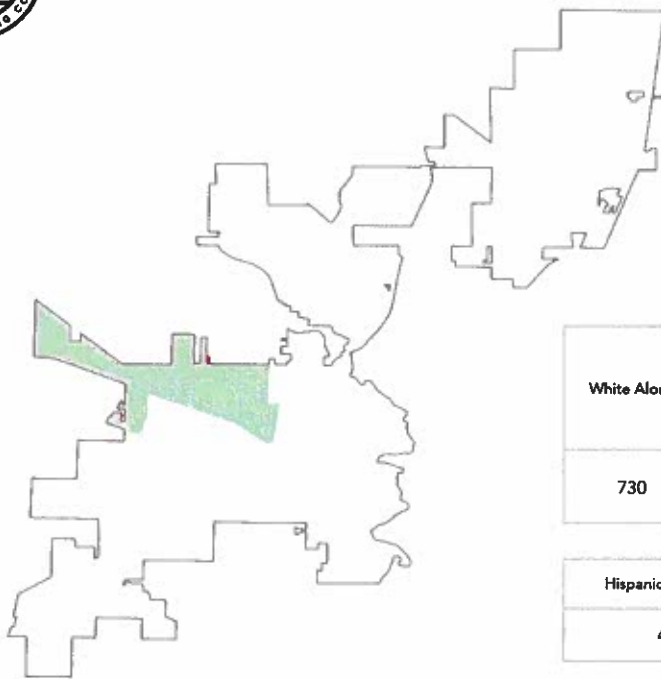
Hispanic or Latino	Non-Hispanic or Latino
59	886

City of Marianna: 2020 Census Data



APALACHEE REGIONAL PLANNING COUNCIL

Local Partnerships, Regional Impact.



<i>District</i>	<i>Total Population</i>	<i>Census Tracts</i>
5	1, 263	2105, 2106

White Alone	Black or African American	American Indian and Alaskan Native	Asian Alone	Native Hawaiian and Other Pacific Islander alone	Some Other Race Alone	Two or more races
730	424	3	21	1	10	74

Hispanic or Latino	Non- Hispanic or Latino
44	1, 219



APALACHEE REGIONAL PLANNING COUNCIL
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1672
- 230

1442

Block Group Data | Census 2020

District	Total Population	Hispanic or Latino	Non- Hispanic or Latino
1	1,318	46	1,272
2	1,672	116	1,556
3	945	59	886
4	1,047	30	1,017
5	1,263	44	1,219

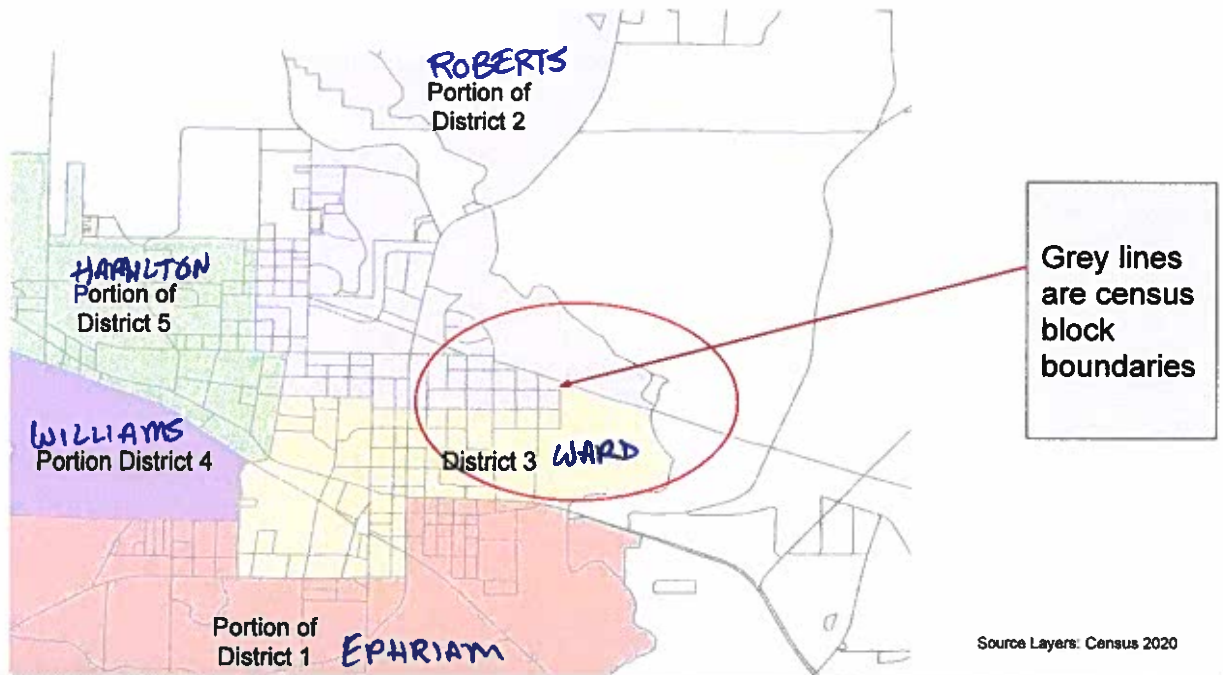
TRAVIS
JOHN
ALLEN
RICO
KENNY

* Boundary for District 3 and District 2 needs validation



APALACHEE REGIONAL PLANNING COUNCIL
Local Partnerships, Regional Impact.

District Layers over Block Boundaries



City of Marianna: 2020 Census Data

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

EARNEST ROBINSON, et. al.,

Plaintiffs,

vs.

CASE NO. MCA-83-2064-MMP

CITY OF MARIANNA, et al.,

Defendants.

FINAL JUDGMENT

On June 3, 1983, the above named Plaintiffs filed their Complaint against the above named Defendants alleging that at-large city-wide voting for members of the City of Marianna Commission excludes black representation and participation and minimizes and cancels out black voting strength in violation of their rights secured by the Voting Rights Act of 1965, as amended, Pub. L. No. 97-205, §3, 96 Stat. 134 (1982), amending 42 U.S.C. §1973, et seq. (hereafter "Voting Rights Act").

The Court, having reviewed the status of this action, and being aided by the recommendations of the Plaintiffs' and Defendants' counsel, and being of the opinion that the best interest of all the parties and all the citizens of Marianna,

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U.S. DISTRICT CL.
NORTHERN DISTRICT OF FLA.
PANAMA CITY, FLA.

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Florida, would be served by approving the Final Judgment, and the Court having reviewed the Final Judgment tendered by Plaintiffs' and Defendants' counsel, finds that said Judgment was entered into voluntarily by the parties, and that it should be approved.

IT IS THEREFORE, ADJUDGED AND DECREED AS FOLLOWS:

1. This decree extends to all issues set forth in the Complaint in this matter and to the class of Plaintiffs defined as all black residents of the City of Marianna, Florida.

2. This Court has jurisdiction over the subject matter of this action and the parties thereto.

3. All Plaintiffs allege that due to a series of factors including a history of official racial discrimination within the City of Marianna and the State of Florida and racially polarized voting in elections within the City of Marianna, the at-large election system of the City of Marianna City Commission has had the effect of denying the black citizens of the City of Marianna an equal opportunity to participate in the political process and elect candidates of their own choice in violation of Plaintiffs' rights under the Voting Rights Act.

While Defendants do not admit the allegation, it has chosen not to contest same believing settlement to be in the best interest of all parties.

4. Defendants are enjoined from providing municipal at-large elections in a manner which violates the Voting Rights Act.

5. The attached "Election Plan", Appendices 1 through 2, sets forth the mechanism and plan for the City of Marianna, Florida, to conduct municipal elections for the members of the City Commission in accordance with the Voting Rights Act. Therefore, the Court finds that the "Election Plan" as submitted is a proper remedy in this action, and is adopted and incorporated by reference into this Final Judgment as attached.

All elections henceforth will proceed on a single district basis; that is, all candidates must reside in the district for which they seek election and only voters in that particular district shall cast ballots for the particular candidates running in that district.

6. Except as necessary to support the jurisdiction of the Court in this action and to provide a predicate for the relief granted herein, nothing in this Final Judgment shall be deemed in any other action or for any other purpose whatever to be an admission on the part of the Defendants or a finding by the Court that the Defendants have been guilty of any violation of the Voting Rights Act of 1965, as amended, or of any other law.


7. Plaintiffs are entitled, pursuant to the Voting Rights Act of 1965, 42 U.S.C. §1973 1(e), to an award of attorney fees and litigation expense reimbursement.

Plaintiffs shall file with the Court appropriate fee/expense submissions and accompanying memoranda as to this issue. The Defendants may then file responsive submissions and

either parties may request oral argument and an evidentiary hearing within ten (10) days after the last filing of either submission. The Court shall then entertain this issue and grant an appropriate Order resolving Plaintiffs' attorney fees and litigation expense request.

That upon entry of this Final Judgment and the subsequent resolution of the attorney fee and costs issue described in this Paragraph 7, the litigation shall be terminated and the action is hereby dismissed.

ORDERED AND ADJUDGED this 7th day of May, 1984.

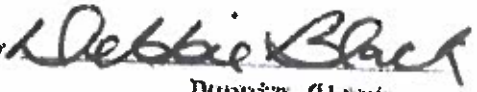


ROGER VINSON
UNITED STATES DISTRICT JUDGE

Copies furnished to:
DAVID M. LIPMAN
BEN REDDING

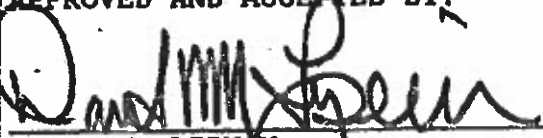
0019R

CERTIFIED, A TRUE COPY

By 
Debbie Black
Dunbar Clerk

Respectfully submitted,

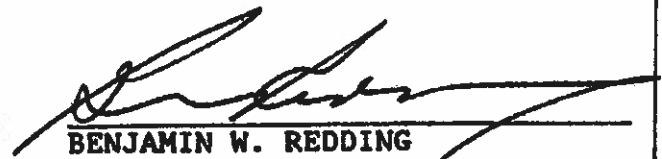
APPROVED AND ACCEPTED BY:



DAVID M. LIPMAN
ROBERT E. WEISBERG

LIPMAN & WEISBERG
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Suite 304
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(305) 662-2600

ATTORNEYS FOR PLAINTIFFS



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P.O. Box 1638
Panama City, Florida 32402

ATTORNEY FOR DEFENDANTS

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

EARNEST ROBINSON, et. al.,

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CITY OF MARIANNA, et al.,

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APPENDIX

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1. DEMOGRAPHIC DATA REFLECTING POPULATION AND VOTER REGISTRATION BY DISTRICT
2. MODIFICATION OF CITY CHARTER AND DESCRIPTION OF DISTRICT BOUNDARIES

APPENDIX 1

DEMOGRAPHIC DATA REFLECTING POPULATION
AND VOTER REGISTRATION BY DISTRICT

<u>Population</u>					
<u>District</u>	<u>Total</u>	<u>White</u>	<u>%</u>	<u>Black</u>	<u>%</u>
1	1283	461	35.9	822	64.1
2	1322	1322	100.0	0	0
3	1304	1186	91.0	118	9.0
4	1316	429	32.6	887	67.4
5	1333	950	71.3	383	28.7
TOTALS	6558	4348	66.3	2210	33.7

<u>Registered Voters</u>					
<u>District</u>	<u>Total</u>	<u>White</u>	<u>%</u>	<u>Black</u>	<u>%</u>
1	461	194	42.1	267	57.9
2	555	555	100.0	0	0
3	536	498	92.9	38	7.1
4	468	180	38.5	288	61.5
5	523	399	76.3	124	23.7
TOTALS	2543	1826	71.8	717	28.2

0025R

APPENDIX 2

**MODIFICATION OF CITY CHARTER AND
DESCRIPTION OF DISTRICT BOUNDARIES**

APPENDIX 2

Section 9 of the Charter of the City of Marianna is hereby changed and amended to conform to this final judgment as hereinafter set forth (language stricken through shall be deemed deleted and language underlined shall be deemed added);

Sec. 9 Election of city commission; terms of office; date of primary and run-off elections; election of mayor-commissioner by members.

The city commission shall consist of five (5) commissioners, each of whom shall be elected from the ~~city-at-large, from a single-member district, as herein-after described.~~ The commissioners shall be elected by the qualified electors of the city for a term of two (2) years, as herein provided, and shall hold their respective offices until their successors are elected and qualified.

1. Candidates from Group 1 shall reside in District 1. Only electors residing in District 1 may vote for candidates for Group 1. District 1 shall comprise the following geographical area of the city (All street boundaries are along the center line of the streets):

Commencing at the intersection of Lafayette Street and the eastern city limits; West to Caledonia Street; South to South Street; West to Borden Street; North to Cedar Street; West to Penn Avenue; North to Cottondale Road; West to the city limits; thence southerly, easterly, and northerly along the city limits to the point of beginning.

2. Candidates for Group 2 shall reside in District 2. Only electors residing in District 2 may vote for candidates in Group 2. District 2 shall comprise the following geographical area of the city (All street boundaries are along the center line of the streets):

Commencing at the intersection of Fourth Street and the northerly city limits; Southerly to Kelson Street; Easterly to Russ Street; Southerly to Burton Street; Easterly to Sylvia Street; Northerly to Wilton Street; Easterly to Caledonia Street; Southerly to Davis Street; Easterly to Cherokee Street; Southerly 250' to a street; Easterly to the eastern city limits; Thence northerly and westerly along the city limits to the point of beginning.

3. Candidates for Group 3 shall reside in District 3. Only electors residing in District 3 may vote for candidates for Group 3. District 3 shall comprise the following geographical area of the city (All street boundaries are along the center line of the streets):

Commencing at the intersection of Lafayette Street and the eastern city limits; Westerly to Caledonia Street; Southerly to South Street; Westerly to Borden Street; Northerly to St. Andrews Road; Easterly to Russ Street; Northerly to Burton Street; Easterly to Sylvia Street; Northerly to Wilton Street; Easterly to Caledonia Street; Southerly to Davis Street; Easterly to Cherokee Street; Southerly 250 feet to a street; Easterly to the eastern city limits to the point of beginning.

4. Candidates for Group 4 shall reside in District 4. Only electors residing in District 4 may vote for candidates for Group 4. District 4 shall comprise the following geographical area of the city (All street boundaries are along the center line of the streets):

Commencing at the intersection of Penn Avenue and Cedar Street; Northerly to Cottondale Road; Westerly to Hall Street; Northerly along Hall Street and Sunset Drive to the L&N Railroad; Easterly along the railroad to Borden Street; Southerly to Cedar Street; Westerly to the point of beginning.

5. Candidates for Group 5 shall reside in District 5. Only electors residing in District 5 may

vote for candidates for Group 5. District 5 shall
comprise the following geographical area of the city
(All street boundaries are along the center line of
the streets):

Commencing at the intersection of
Cottondale Road and the western city limit;
Easterly to Hall Street; Northerly along
Hall Street and Sunset Drive to the L&N
Railroad; Easterly along the railroad to
St. Andrews Road; Easterly to Russ Street;
Northerly to Kelson Street; Westerly to
Fourth Street; Northerly to the city limits;
Thence westerly and southerly along the city
limits to the point of beginning.

Following each decennial census, the city
commission shall adjust the district boundaries as
necessary to effect reapportionment in accordance
with constitutional standards.

