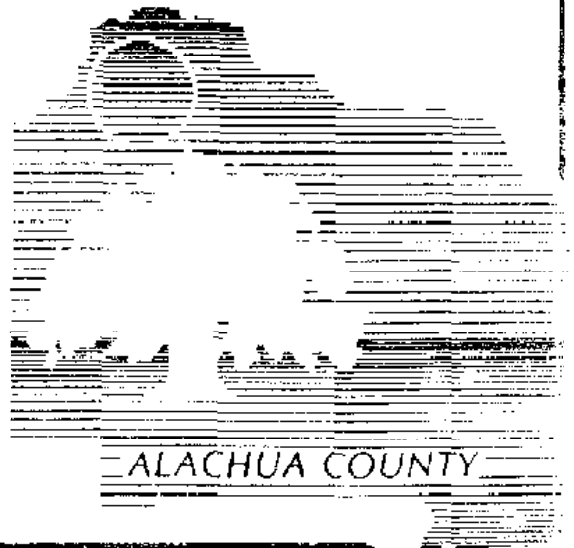


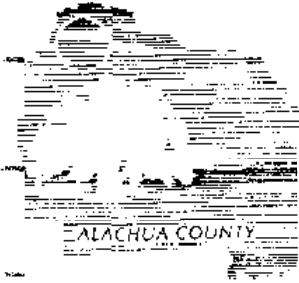
ALACHUA COUNTY
CHARTER REVIEW COMMISSION
FINAL REPORT

AUGUST 1992



CHARTER REVIEW COMMISSION

P.O. Drawer CC • Gainesville, Florida 32602
(904) 374-5210



July 29, 1992

Alachua County Board of County Commissioners
Post Office Box 2877
Gainesville, Florida 32602

Dear Commissioners:

Attached is a report of the activity of the Alachua County Charter Review Commission, which has been meeting in regular sessions for almost a year following your request for us to review two issues. Those issues -- possible merger of city and county law enforcement and possible single-member districting for the county -- were discussed at length, as we seriously sought to provide you with the best information and advice possible. As a part of our discussions on those issues, we also focused on three other tangential issues we considered to be of importance and discussed those at length -- establishment of a central 911 calling point, establishment of a single ambulance service provider and adjustment of County Commissioners salaries.

Over the past several months, we have invited experts from the University of Florida, from law enforcement agencies, from other government agencies and other communities to come and talk with us, provide us information and, generally, enlighten us on various aspects of the government issues we were discussing. At your request, and because of our desire to obtain as much information as possible about the merger of law enforcement, we worked closely and diligently with the Citizens' Committee for Unification of Public Safety Services, headed by Dr. E. T. York. That group, as you know, had staffing and input from Gainesville Police Department and the Alachua County Sheriff's Office. With a couple of minor differences, our Commission reached the same conclusions as the Citizens' Committee on Unification and their work and study assisted us greatly in coming to conclusions on the unification issue.

As our report indicates, the Charter Review Commission is submitting the following two issues to be placed on the ballot:

1. Merger of the Alachua County Sheriff's Office with the Gainesville Police Department under an elected head; and
2. Adjustment of the salary of County Commissioners, effective October 1, 1994, to be set at the level of the median household income for Alachua County (now \$22,084.00).

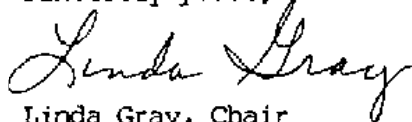
The other three issues that we studied and discussed extensively -- single-member districting for Alachua County, centralized 911 response service and single-provider ambulance service -- did not receive enough votes among our group to forward those to you for the ballot. Please rest assured that we spent extensive time analyzing and discussing possible single-member districting. While some members of our group felt that single-member districts would allow for more accountability and perhaps assist in areas of economic development, others felt that single-member districting could well lead to a parochialism and possible failure of Commissioners to fully consider county-wide problems. Historically, single-member districting has been used to bring about increased minority representation in cities and counties where such representation has been deficient; our group generally agreed that this has not been the case in Alachua County and that single-member districting might not have any effect on enhancing minority participation.

Along with the history of our efforts, the attached report includes ballot language for each of the two items we are suggesting for placement on the November, 1992 ballot in the general election. Back-up information on each of the two ballot items, including an extensive plan for possible merger of law enforcement, are a part of this report.

Please rest assured that we took our work as members of the Charter Review Commission seriously and strived at all times to keep uppermost in our minds the fact that our goal was to discuss and propose ideas to improve government and life for citizens in Alachua County. Our meetings were open to the public and during the last phase of our discussions, we had extensive participation by citizens at our public hearings. These hearings were useful in providing us with some indication of what citizens in Alachua County are feeling about the issues we considered.

I look forward to presenting our report to you at your August 4 Board meeting. Thank you for the trust placed in our citizens' commission and for this opportunity to be of service to our neighbors in Alachua County.

Sincerely yours,



Linda Gray, Chair
Charter Review Commission

xc: Bob Fernandez, County Manager
D. J. Williams, Assistant to the County Manager
CRC Files

INTRODUCTION

Florida Law (Chapter 125 - Part II) provides that any county not having a chartered form of consolidated government may locally initiate and adopt by a majority vote of the qualified electors of the county a county home rule charter. Alachua County's Home Rule Charter was approved by the electorate and became effective on January 1, 1987. The Alachua County Charter provides for establishment of a Charter Review Commission (hereafter referred to as CRC) and specifies that this group is to be convened by the Board of County Commissioners. The CRC is charged with the periodic review of County government, with the intent of allowing citizen input and direction for the government of the County. The Charter Review Commission is one of several ways that issues can be placed on the ballot to change County government.

At the July 23, 1991 Board of County Commissioners meeting, the Board approved reconvening the CRC in response to issues and concerns raised by citizens. The CRC was directed to study single-member districts and the consolidation of law enforcement services and held its first meeting on September 18, 1991.

STUDY METHODOLOGY

The CRC began its work by consulting the Interim County Attorney on the extent of the CRC's authority, the Sunshine Law, financial disclosure and the practical/legal matters related to charter amendments.

The CRC appointed a Workplan Subcommittee which met on October 21, 1991 and formulated a tentative workplan. The workplan consisted of two phases: Phase I lasted 7 months and was devoted to the study of single-member districts, the unification of law enforcement services and other issues. These issues included a single public safety answering point, a single ambulance provider service and a salary reduction for County Commissioners. Phase II lasted 3 months and was devoted to final public hearings, implementing a public education campaign and submitting a final report to the Board of County Commissioners (i.e. Board).

The Board requested the CRC work closely with the Citizen's Committee for the Merger of Public Safety Services in studying unification of law enforcement. This was accomplished by CRC and Citizen's Committee members conducting joint meetings and reciprocating attendance at meetings scheduled by each group. This cooperative effort served to avoid duplicated work and develop a more comprehensive unification proposal.

The CRC consulted various experts on single-member districts and law enforcement unification in an attempt to gather current significant information on these issues. County Manager staff utilized local resources (i.e. University of Florida, Department of Planning and Development) to research aspects of the two issues. Public input was solicited during all phases of the CRC's work.

Unification of Law Enforcement

The CRC began discussing the unification of law enforcement at its November 14, 1991 meeting. The Interim County Attorney provided information on the various mechanisms available for the unification of public safety services. These mechanisms include:

- 1) **Interlocal Agreement** - a written contract between two governmental entities which stipulates that one entity shall be the sole provider of a specified service. This mechanism does not require a referendum;
- 2) **Transfer of Powers** - a permanent binding agreement which results in one governmental entity being the single provider of a specified service. This option requires a referendum; and

- 3) **Legislative Act** - legal mechanism which requires review and approval by the State Legislators before a local referendum can be conducted.

The CRC consulted Chief Wayland Clifton (Gainesville Police Department) and Sheriff L.J. Hindery (Alachua Sheriff's Office) on several occasions concerning law enforcement unification. At the December 19, 1991 CRC meeting, Chief Clifton and Lt. Spencer Mann (Alachua Sheriff's Office) provided presentations on the issue.

The following advantages to unified law enforcement were outlined:

- 1) Increased efficiency and operations effectiveness;
- 2) Elimination of duplicated services; and
- 3) Innovative response to diminishing financial resources.

Equipment concessions, pensions, a funding mechanism and an appointed versus elected law enforcement chief official were the details which the CRC considered to be the most crucial to be resolved before proceeding with unification.

Two specific problems were identified which adversely affect the operations of the current law enforcement system - - manpower and communications. The Sheriff's Office and Chief Clifton support

unification based on the potential for eliminating these problems. The CRC was informed that unification would improve communications and dispatches as well as allow for more flexibility in the deployment of officers on the streets. It appears that unification would improve response time and investigation quality which are standards used by the public to evaluate law enforcement.

Dr. Frederick Shenkman, a University of Florida professor and expert on law enforcement unification, met with the CRC at its February 27, 1992 meeting. Dr. Shenkman has conducted several feasibility studies on law enforcement unification with the most recent being for Suwannee County and the City of Live Oak.

Dr. Shenkman urged caution in proceeding with unification because it is almost irretrievably permanent. Dr. Shenkman stated that the following issues should be examined closely in determining whether to proceed with unification:

- 1) What is expected from law enforcement;
- 2) Current delivery service;
- 3) Personnel;
- 4) Agency finances; and
- 5) Crime rates in different areas;

Dr. Shenkman expressed concern regarding whether a problem had been identified with the current law enforcement system. He asked that this problem be articulated. When communications was identified as a problem, Dr. Shenkman indicated that this could be corrected without unification. Unless specific cost benefits can be identified, unification is risky and may not provide the savings and service delivery envisioned.

At the March 23, 1992 joint CRC/Board meeting several members of the Citizen's Committee provided the CRC with an update on its work. It was reported to the CRC that the concept of unification was generally accepted by smaller municipalities but cities with their own police force were reluctant to proceed too quickly with unification. Small municipalities wished to know if unification would provide more service and would service improve.

The Citizen's Committee reported to the CRC that through unification approximately \$1.9 million in annual savings could be realized. It is anticipated that this would be achieved through the reduction of duplicated services and the elimination of high level administrative positions, as well as thirty-seven (37) civilian positions. This savings could be actual savings or could be utilized to hire approximately thirty-eight (38) fully equipped line officers.

No significant disadvantages to unification were identified. Existing facilities could be utilized by a larger agency. The only major capital outlay expense identified was the construction of a new communication facility.

The Citizen's Committee developed the following elements of a unification plan (See Appendix A):

- 1) A Director of Law Enforcement;
- 2) Position would be voted on county-wide;
- 3) A non-partisan election (later amended by the CRC to a partisan election);
- 4) Position would be subject to general recall;
- 5) The unified agency would be subject to collective bargaining;
- 6) No budget appeal to the State for law enforcement director;
- 7) Minimum qualifications for the Director would be the same as current qualifications for Sheriff;
- 8) Compensation based on population; and
- 9) Funding for the unified agency.

After discussion with the County Attorney it was determined that the budget appeal power of the Sheriff (or Director) can be removed with a Charter amendment. This would require amending the Charter to abolish the constitutional nature of the position. Consensus of the

CRC was that an elected Director will be directly responsible to the voters and would be consistent with the philosophy of Charter government.

Funding a unified agency was extensively discussed. The Citizen's Committee proposed an initial two year funding cap based on the percentage of the city and county budgets currently allocated for law enforcement. The Citizen's Committee also proposed creating a Financial Control Board which would oversee the unified agency's budget. The Control Board would consist of all the members of the City and County Commissions. A majority vote of each Commission will be necessary to approve the budget. If an agreement is not reached, the existing fiscal year budget would remain effective until a new budget is approved. The Financial Control Board was amended to be a Financial Review Board.

Based upon information provided by local law enforcement officials, Dr. Shenkman, the Citizens' Committee for the Merger of Public Safety Services and a review of the literature, the CRC decided to proceed with placing unification on the November 3 ballot and continue its work with the Citizen's Committee in developing a unification plan. The unification elements, as approved by the CRC, are outlined in Appendix B.

Single-Member Districts

The CRC began addressing the issue of single-member districts at the December 12, 1991 meeting. Dr. Ken Wald, a University of Florida Political Science professor with expertise in single-member districts, provided a presentation to the CRC. Single-member districts were defined as those districts which have nominations from and election of one public official by the voters from that designated area.

Dr. Wald had previously prepared a report (See Appendix C) which addressed single-member districts for the City of Gainesville Charter Review Committee. Dr. Wald discussed the advantages of single-member districts, system standards and current trends.

One advantage of Alachua County's current multi-member system is that all voters have the opportunity to vote for every Commission seat. The major disadvantage to this system is that voters from particular areas may perceive that they do not have a public official to represent their specific interests and needs.

John Maruniak, Senior Planner with Planning & Development, supplemented Dr. Wald's presentation with a report on the minority composition of Alachua County. Mr. Maruniak identified for the CRC those areas of the county with significant minority populations (See Appendix D).

Discussion on single-member districts reflected the concerns and comments of the 1990 CRC which also studied this issue. These concerns and comments follow:

- 1) Single-member districts may enhance the voice of citizens who perceive they do not receive fair or adequate representation;
- 2) Single-member districts will allow more accessibility to citizens and make representatives more accountable;
- 3) Single-member districts may allow more opportunities for minorities to be elected;
- 4) Certain areas of the county, such as the Eastern portion, are perceived as not being fairly represented (Recent re-districting identified the Northeastern portion of the county as having a significant minority population);
- 5) Single-member districts work within the City of Gainesville;
- 6) Recent re-districting does not create clear minority districts (However one district does have a 43% minority population); and
- 7) With at-large elections, Commission candidates could chose constituencies based on philosophical allegiance and campaign contributions and then ignore their districts.

The CRC decided to separate race and minority representation from the single-member district issue because historically, Alachua County has not had a problem with minority representation on the Board of County Commissioners.

Based upon an analysis of the data, the decision was made to proceed with a proposal to change the current at-large system to a mixed election system with single-member seats and at-large seats.

The current at-large system has five Commission districts. Commissioners, although elected at-large, are required to reside in their designated district.

The CRC's proposal includes retaining the current number of Commission seats with a 3-2 split (3 single-member and 2 at-large). This would require district lines to be re-drawn. It was determined that a 3-2 split was practical because it maintained both the current number of Commissioners that voters are used to, and the existing election cycle. With a 3-2 split citizens will have the opportunity to vote for a majority of the Commission. It was also determined that three single-member districts will provide accountability.

This proposal requires redrawing the districts from five to three. As with redistricting, this will be done based upon standard criteria (i.e. compactness, contiguous, equal in population).

Unification Of Communications

The March 28 Workshop was designed as a forum for members to discuss new issues for the CRC to consider. As a result of this workshop, the issue of unified communications was discussed.

Some members stated that the citizens of Alachua County may not support total unification of law enforcement. There has been and is long-standing support from City and County officials to consolidate communications. As a result, a proposal was made to consider developing a plan for the unification of communications only. The proposal included the creation of a communications center for law enforcement which would not be operated by either Gainesville Police Department or Alachua County Sheriff's Department.

Because it was concluded that the citizens of Alachua County may not approve a complete consolidation of communications, a compromise was made to examine one aspect of this issue. Namely, a single county-wide public safety answering point for 911 calls.

Single County-wide 911 Public Safety Answering Point

Also at the March 28 Workshop, the CRC discussed a proposal to create a single, county-wide 911 public safety answering point (i.e. PSAP). A PSAP is defined as the center that receives 911 calls. This

issue utilizes the County's authority, provided by State statute, to create a single public safety answering point in the County. The creation of this single PSAP was also recommended by the Alachua County EMS Special Task Force.

The consolidation of physical and electronic communications centers will improve coordination and operations. A single PSAP is intended to reduce time needed to handle calls for emergency medical response, promote service efficiencies, improve the coordination and operation of emergency communications and promote fiscal economies.

Based on the authority provided by the State to the County, the CRC requested that the Board take action on this issue. The CRC's intent was to propose placing this issue on the ballot if the Board did not take action.

Single County-wide Ambulance Transport Service

The establishment of a single, county-wide emergency and non-emergency ambulance transport service was addressed at the March 28 Workshop also. The establishment of this system was also recommended by the Alachua County EMS Special Task Force.

This proposal uses the authority provided to the County by Florida Law to establish one ambulance transport provider of emergency and non-emergency services; with the exception of highly specialized air ambulance and neonatal services.

This measure is intended to promote service efficiencies, increase productivity and avoid dissension which can occur among multiple service providers.

A proposal for this issue and the single PSAP issue was presented to the Board of County Commissioners by CRC representatives on April 21, 1992. The CRC decided to move forward with its proposals to recommend placing these issues on the ballot after it was determined that Board action was uncertain.

Non-Partisan Election For The Supervisor Of Elections

This issue was also presented at the March 28 workshop. It was reported to the CRC that many groups in Florida have attempted to establish non-partisan elections for this position. The Alachua County Supervisor of Elections supports this initiative. This issue was proposed because the responsibilities (e.g. registration of all qualified voters) of this constitutional office indicates that partisan influence should be avoided.

Based upon the July 17, 1986 Attorney General's Opinion which specified that Charter language cannot be inconsistent with general law, it was concluded that proceeding with this issue may have resulted in violating general law. Therefore, it was decided not to proceed with a proposal to place this issue on the November 3 ballot.

The CRC does support a state wide change to general law which would allow each county to change to a non-partisan election system for Supervisor if so desired.

Salary Reduction For County Commissioners

Closely linked to the single-member district issue is a salary reduction for County Commissioners. However, the CRC decided to address this issue independent of the single-member district election system. The following comments were made at the March 28 workshop concerning the salary of County Commissioners:

- 1) The concept of part-time, elected citizen officials has been lost;
- 2) If Commissioners are to receive their current salary, the position should be full-time;
- 3) Alachua County Commissioners currently make significantly more than many elected officials including State Representatives, City of Gainesville Commissioners and School Board members;
- 4) County Commissioners should be paid a salary equivalent to the median family income in the county. This was later modified to the median household income;

After consulting the County Attorney, it was determined that the salaries of commissioners elected under the at-large system can be reduced when their current term of office expires.

Based upon the literature and discussions, the CRC approved proceeding with proposing this issue for placement on the ballot. The adjusted salary for County Commissioner will be set to equal the current median household income for Alachua County, as determined by the 1990 Census figures. Adjusted salaries shall be effective for any County Commissioner elected after January 1, 1993. Current salaries for Commissioners are \$38,000 annually; the average household income is \$22,084.

This measure is intended to promote the part-time nature of the position of Commissioner, align salaries with the County's median household income and bring Commissioners' salaries in line with similar elected officials such as city commissioners and school board representatives.

PUBLIC HEARINGS

As required by the Alachua County Charter, three public hearings were conducted on June 24, July 7 and July 21. These hearings purpose was to obtain public input on the proposed Charter amendments before the proposals were finalized and submitted to the Board.

The June 24 public hearing resulted in receiving public comment from several citizens. Concern was expressed about the impact of the public safety answering point and the single, County-wide ambulance provider service. The CRC discussed these concerns and other comments on the three issues but no action was taken.

The July 7 public hearing was well attended and a larger number of citizens commented on the proposed five amendments. More concern was expressed about the public safety answering point and the single, County-wide ambulance provider service. These concerns were addressed at the regular business meeting following the public hearing. As a result of these comments from the July 7 and June 24 public hearings, the CRC (with two separate motions) approved not to place on the ballot the establishment of a public safety answering point and establishment of a single, County-wide ambulance provider service. The three remaining issues follow:

- 1) a single-member district election system;
- 2) unification of law enforcement; and,
- 3) salary reduction for the County Commission.

Although the CRC approved not proceeding with the PSAP and ambulance issues as referendum initiatives, the CRC strongly encourages the Board of County Commissioners address these issues effectively and timely.

The July 21 public hearing was also well attended. Concern was expressed about the concept of an elected head of a unified law enforcement agency. This issue as well as the other remaining issues were discussed at the regular business meeting after the public hearing. The Citizen's Committee for the Merger of Public Safety Services provided a report on their unification plan.

As a result of discussion during the regular meeting, the CRC voted not to place the single-member district election system on the November ballot.

RECOMMENDATIONS TO THE BOARD OF COUNTY COMMISSIONERS

The Charter Review Commission submits the following recommendations to the Board of County Commissioners:

- 1) a referendum initiative to unify the Alachua County Sheriff's Office and the Gainesville Police Department.
The elements of this proposal follow:
 - a) The Alachua County Sheriff's Office and the Gainesville Police Department be merged under a single Director of Law Enforcement;
 - b) The Director of Law Enforcement would be elected by the citizens of Alachua County, including the City of Gainesville, in a partisan election format.

- c) The Director of Law Enforcement would be subject to the recall provisions of Florida State laws;
- d) The Director of Law Enforcement would be subject to the collective bargaining laws of the State of Florida for affected employees;
- e) The Director of Law Enforcement would have no right to appeal the budget for the merged agency to the Cabinet of the State of Florida;
- f) The minimum qualifications for the Office of Director of Law Enforcement would be the same as those provided by Florida Statute for elected Sheriffs within the State of Florida; term of office will be four years;
- g) The Director of Law Enforcement would carry out the duties and responsibilities outlined in Chapter 30 of Florida Statutes;
- h) The Director of Law Enforcement would be compensated based upon the current funding formula for sheriffs pursuant to Florida State Statutes;
- i) Funding for the new merged agency would be no more the first two years than the percentage amount spent in the combined FY 1991-92 budgets of the two agencies; funding will be separately appropriate by the County and the City of Gainesville;
- j) The Director of Law Enforcement would have the power and authority to negotiate separate contracts with the other municipalities within Alachua County for the provision of enhanced services;

- k) Employees of the merged law enforcement agency would not lose pension benefits as result of merger;
- l) This plan will become effective the first Tuesday following the first Monday in January 1997; following the vote by the City of Gainesville, based upon charter revisions of both the City Charter as well as the Alachua County as voted on by the citizens of Gainesville and the citizens of Alachua County; and
- m) The election of the Director of Law Enforcement will occur in the general election of 1996.

- 2) a referendum initiative to reduce the salary of County Commissioners to the median household income of \$22,967 for Alachua County as established by the 1990 census; which is to be adjusted annually based on average salary increases given to County employees and further adjusted following each decennial census to the Alachua County median household income. Salary reductions will be effective October 1, 1994.

FINAL COMMENTS

Ballot (Appendix E) and charter language (Appendix F) for each of these referendum initiatives are included in this report's appendix. This language has been reviewed by the County Attorney and the Supervisor of Elections to ensure accuracy and comprehensiveness.

The Charter Review Commission authorizes the Chairman of the CRC and Legal Counsel, in coordination with the County Manager's Office, to make further modifications to the ballot language outlined in Appendix E as may be necessary and desirable under the Constitution and Laws of the State of Florida as long as the modifications do not alter the substance. Any such modifications shall be reported to the CRC and the Board of County Commissioners.

Since the CRC is not officially dissolved until these initiatives are voted on during the November 3 general election, our intent is to continue with a public education campaign. This campaign may include speaking engagements, an educational brochure, newspaper advertisements; to name a few.

This report, including the ballot and charter amendment language, was approved by the CRC at its July 30, 1992 meeting.

THE PROPOSED MERGER
of the
GAINESVILLE POLICE DEPARTMENT
and the
ALACHUA COUNTY SHERIFF'S DEPARTMENT

A Report of the Citizens' Committee for the
Unification of Public Safety Services

July, 1992

Table of Contents

	<u>Page</u>
Foreword.....	i
Summary.....	v
1. Crime in Gainesville and Alachua County.....	1
2. Law Enforcement in Alachua County.....	4
3. Attitudes Towards Local Public Services and the Possibility of Merging Such Services.....	6
4. Findings and Recommendations.....	9
-- Rationale for Considering Merger.....	10
-- Attitudes of Law Enforcement Leaders, Government Officials and Others Towards Merger.....	11
5. Recommended Structure and Funding of a Unified Agency.....	15
6. Conditions of Merger and Benefits to be Derived Therefrom... -- Salaries and Grades.....	18
-- Retirement and Fringe Benefits.....	18
-- Communications.....	19
-- Records.....	19
-- Capital Expenditures.....	20
-- Conclusion.....	20
7. Implementation of Recommended Proposal.....	21

FOREWORD

In May, 1991, Gainesville City Manager Paul White met with the Gainesville Police Department (GPD) Advisory Commission to discuss financial problems facing the City in the coming fiscal year (1991-92). In his presentation, Mr. White indicated that many services rendered by the City, including police, fire protection, and emergency medical services, would likely be curtailed because of inadequate revenues.

In the discussion that ensued following Mr. White's presentation, it was suggested that instead of cutting back on important services, consideration should be given to merging some services which were common to Alachua County and the City of Gainesville. With such mergers, it was felt that it might be possible to deliver these services in a more efficient and cost-effective manner without need for cutbacks. It was also suggested that such a possibility might well be appealing to Alachua County officials since County government was facing some of the same budgetary constraints as those confronting the City.

The response by the GPD Advisory Commission was very supportive of this possibility, and the chairman of the Commission, William Ebersole, was asked to appoint a committee to consider further this idea. The following members of the Commission were appointed and met for the first time on June 12th, 1991: William (Bill) Ebersole, Charles (Chuck) Gatton, Larry Turner, J. Wayne Reitz, E.T. York.

This committee agreed that the idea required further study. It was also agreed that there was need for this study to be undertaken by a larger committee which could be more representative of the total community and independent of the GPD. The following individuals, representing a broad spectrum of professional, business, civic, education and governmental leaders from throughout the County, agreed to serve:

Ms. Debbie Butler	Business leader
The Honorable Chester B. Chance	Circuit judge
Mr. C.B. Daniel	Business leader, banker
Mr. Bill Ebersole	Real estate broker, former publisher of <u>The Gainesville Sun</u>
Mr. Larry Edwards	Advertising executive
Mr. Rodney Estes	Waldo city commissioner & finance chairman
Mr. Gene Fleming	Hospital administrator

Mr. George ("Cotton") Fletcher	Business leader - real estate
Mr. Chuck Gatton	Business leader
Mr. Oscar Harris	Archer civic leader, Community Action Agency, Gainesville
Mr. Don Hempson	Civic leader, former chairman of Crime Commission
Mr. Var Heyl	Retired business leader
Mr. Leonard Ireland, Jr.	Attorney, president of Gainesville Chamber of Commerce
Mr. Phil Irwin	Micanopy City commissioner
Mr. Vic Johnson	Consultant
Mr. Andy Karelas	Former Newberry mayor, commissioner
Mr. Rodney McGalliard	Attorney
Dr. J. Wayne Reitz	President emeritus, University of Florida
Mr. Gerald Schaffer	Vice president, University of Florida
Ms. Audrey Schiebler	Civic leader
Mr. Rodney W. Smith	Attorney
Mr. Jim Sproull	Business leader, banker, past president, Gainesville Chamber of Commerce
Dr. Bruce Stechmiller	Physician
Ms. Sherrin Surrency	City of Hawthorne mayor
Dr. Portia Taylor	Administrator, Santa Fe Community College
Dr. Kenneth Tefertiller	Former vice president, University of Florida
Mr. Larry Turner	Attorney
Mr. Robert Woody	Florida Dept. of Corrections, Probation and Parole
Dr. E.T. York, Jr.	Chancellor emeritus, State University System of Florida

It was decided to call the group, "Citizens' Committee for Unification of Public Safety Services." The term "Committee" will be used throughout this report to refer to this Citizens' Committee. J. Wayne Reitz and E.T. York were asked to chair the Committee.

The enlarged Committee held its first meeting on June 26, 1991. Given the fact that the Committee had no financial resources available, the GPD and the Alachua County Sheriff's Office (ASO) were asked to provide staff assistance in gathering information, conducting research on issues of importance to the Committee, and keeping records of the meetings. Spencer Mann (ASO), Patrick Callahan (GPD), and Louis Kalivoda (Santa Fe Community College and Gainesville Police Academy) rendered invaluable staff assistance to the Committee throughout its deliberations.

Leaders of law enforcement, fire protection, and emergency medical services (EMS) in the City and County appeared before the Committee to discuss their respective operations.

Following such presentations and given the complexity of the issues involved, the Committee decided to first focus primarily on law enforcement, leaving open the possibility of considering the merger of fire protection and emergency medical services later. This report, therefore, is concerned primarily with law enforcement, given the high priority which citizens place on this service.

It was soon apparent to the Committee that it would be desirable to organize smaller groups or subcommittees to deal in greater depth with a wide range of issues. Larry Turner was appointed to chair a subcommittee which might consider in depth a number of issues and report its recommendations to the full committee. This was called the "Options Subcommittee" since its first task was to consider the various options the overall Committee might consider, including the option of "no change" from the present situation. After making its recommendations to the full committee on the options issue, the subcommittee was kept intact to consider a wide range of other issues to be brought before the full committee. This subcommittee was made up of the following:

- Larry Turner (chairman)
- Rodney Estes
- Don Hempson
- Rodney McCalliard
- Rod Smith
- Jim Sproull
- Sherrin Surrency
- Ken Tefertiller
- J. Wayne Reitz (ex officio)
- E.T. York (ex officio)

The Options Committee formed other subgroups to deal with specific issues related to a possible merger of the two law enforcement bodies.

The overall Committee met approximately once each month from June, 1991 until February, 1992. For much of that period, the Options Subcommittee met essentially every week, with additional

meetings of some of the other subgroups chaired by Jim Sproull, Rod Smith, Sherrin Surrency, Rodney McGalliard and Don Hempson.

Soon after the overall Committee began to function, its leadership met with both the Gainesville City Commission and the Alachua County Commission to apprise these bodies of the effort and ask for their cooperation and suggestions. Both Commissions pledged their cooperation and authorized the law enforcement bodies under their jurisdiction (GPD and ASO) to cooperate fully with the Committee's efforts. Various members of the Committee also met with the Commissions of the outlying municipalities to inform them of the effort and ask for their input into the process.

When meeting with the Alachua County Commission, the Committee was informed that the County Charter Review Commission also planned to address the possibility of merging the law enforcement bodies of the City and County. The Committee was specifically asked by the County Commission to work closely with its Charter Review Commission on this issue.

There were, indeed, close working relationships between the County Charter Review Commission, chaired by Linda Gray, and the Unification Committee. Representatives of each body were appointed to serve in a liaison capacity with the other body. Ms. Gray, herself, attended many meetings of the Unification Committee and subcommittees.

In May, 1992, the Gainesville City Commission appointed an independent committee to study the issue of interagency coordination of the two major law enforcement bodies. This committee has indicated that it does not expect to have a report until mid-December, 1992.

The Committee wishes to express its deep appreciation to all those who have been so helpful in its work. Special recognition and appreciation is given to the GPD and the ASO and to Patrick Callahan, Spencer Mann, and Louis Kalivoda for their splendid cooperation and support. Larry Turner and his subcommittee also merit special recognition for their many hours of dedicated and effective effort.

SUMMARY

A Committee of some thirty Gainesville/Alachua County citizens was formed in June, 1991, and worked for almost a year in studying the pros and cons of merging the Gainesville Police Department and the Alachua County Sheriff's Office. This is an issue that has been considered locally for years. A primary motivation for addressing the issue now is the fact that the demand on local governmental bodies for service is significantly greater than the level of tax revenues available to address these needs. This has led to a reduction in real dollar support for law enforcement locally along with the prospect of even further reduction. Moreover, this is occurring at a time when citizens are increasingly concerned about the local crime rate.

Gainesville no longer ranks among the top ten communities nationally in the per capita incidence of serious crime--as was the case ten years ago. However, the crime rate locally is still unacceptably high, and the prospect of further reductions in law enforcement support is of grave concern to many. The Citizens' Committee was created to explore fully the potential for delivering more efficient and effective law enforcement services by merging the two primary law enforcement bodies. The Committee believe that such action could result in eliminating many duplicative services, reducing the cost, and/or improving the delivery of services.

The Committee spent months considering many complex issues related to the merging of the two law enforcement bodies, with input from many individuals and groups both within and outside of Alachua County. Following is a summary of conclusions reached and recommendations made by the Committee.

- o Many significant benefits would result from merging the two law enforcement bodies in terms of reducing costs and/or improving services (discussed more fully below).
- o It is recommended that the Alachua County Sheriff's Office and the Gainesville Police Department be merged under a chief executive officer with the title of Director of Law Enforcement.

- o The Director of Law Enforcement would be elected by the citizens of Alachua County, including the City of Gainesville, with a nonpartisan election format.
- o The Director of Law Enforcement would have no right to appeal the budget for the unified agency to the Governor or elected Cabinet of the State of Florida.
- o The minimum qualifications for the Director of Law Enforcement would be the same as for an elective sheriff within the State of Florida.
- o Collective bargaining would be allowed for affected employees.
- o Funding for the unified law enforcement agency would be on an annual basis, approved by a law enforcement financial board consisting of all members of both the Gainesville City Commission and the Alachua County Commission. A majority vote of each Commission would be required. If the two Commissions could not agree on a budget, the previous year's funding would carry over into the new year.
- o Funding for the law enforcement agency would be based upon the level of services provided in the respective geographic areas within the jurisdiction of City and County government.
- o There would be no increase in funding (as a percent of each Commission's total budget) for the first three years after merger.
- o The Director of Law Enforcement would be empowered to negotiate separate contracts with the outlying municipalities within Alachua County for provision of enhanced services.
- o Employees of the new unified law enforcement agency would remain under their current retirement/pension plan as it exists on the effective date of the merger. Consideration could be given to giving employees coming into the agency after the merger the opportunity to be a part of a new retirement plan.
- o The merger of the two law enforcement bodies would occur only after a majority of the voters in both Gainesville and Alachua County (including Gainesville) had endorsed the idea.

Based upon an analysis of present personnel and budgets within the GPD and the ASO, the Committee suggests the following conservative estimate of expected savings and improvements:

- o Fourteen sworn officer positions could be re-deployed by phasing out of duplicative support service positions currently staffed by sworn officers and putting civilians in positions unnecessarily occupied by sworn officers;
- o Thirty-seven civilian positions could be phased out when existing organizational components are merged;
- o Funds identified by the foregoing changes approximate \$1,900,000 annually.

It is proposed that all sworn officers would be retained upon merger. Positions not needed after merger would be converted to patrol positions in incremental fashion. Persons staffing positions to be phased out would be re-deployed to a direct service role wherever possible.

Civilian positions not needed after the organizational merger would be eliminated in incremental fashion, with the assigned funds re-deployed to direct service operations. Insofar as possible, civilian positions would be vacated through attrition.

All personnel would be transferred to the new unified law enforcement agency at their present salaries and personnel grade levels. Therefore, no additional costs should be incurred initially, and, ultimately, significant savings should accrue as grade levels are restructured to conform with actual requirements.

It is estimated that the proposed plan would result in the addition of thirty-eight fully equipped, sworn officers to direct law enforcement roles with no additional costs to the taxpayers. This would constitute a 17.8 percent increase in the number of sworn officers currently assigned to direct service duties within the combined agency.

Following are excerpts from statements concerning unification made by local law enforcement and government leaders concerning unification during the process of the Committee's work:

"I have supported unification for years, and now it is time to stop talking and start acting."

-- Sheriff Lu Hindery, ASO

"Unification is an innovative approach to the diminishing resources.... It is time to bring together the services provided by the Sheriff's Office and the GPD in a coordinated, businesslike approach."
-- Chief Wayland Clifton, GPD

"...unification of law enforcement is long overdue. While separate organizations might have made sense in the past, the community of Gainesville would be more efficiently and effectively served by one streamlined law enforcement agency."
-- Leveda Brown, Chair, Alachua County Commission

"It is imperative that we seek to provide undiminished public safety. In my opinion, we face no option other than the removal of duplication of service delivery and the unification of law enforcement services to our common residents who have a right to protection from the ever growing criminal element."
-- Paul White, City Manager, Gainesville

1. Crime in Gainesville and Alachua County

Crime has been one of our nation's most serious problems for many years. More than ten years ago, Time magazine assessed the violent crime problem in the U.S. as follows: "There's something new about the way people are killing, robbing, raping, and assaulting one another. The curse of violent crime is rampant, not just in the ghettos of depressed cities, but everywhere. More significant, the crimes are becoming more brutal, more irrational, more random--and, therefore, all the more frightening."¹

Since this assessment by Time a decade ago, the crime problem in America has, indeed, become, as Time suggested, "more brutal, more irrational, and more random." These words appropriately characterize the Gainesville student murders which have shocked the entire nation during the past two years.

A prominent American jurist made this assessment of the problem: "The nightmare of street crime is slowly paralyzing America. Across the nation, a terrified people have altered their life styles. They purchase guns and double locks to protect their families against the rampant violence outside their doors. After seething for years, public anxiety is now boiling over in a desperate search for answers."²

Crack cocaine is considered by many law enforcement agencies as a major contributor to the worsening crime problem throughout the country. A Tallahassee police spokesman recently made the following comment: "Crack has just spanned the entire spectrum of criminal activity. I can't tell you what the exact percentage of the increase (in crime due to crack) has been over the past ten years. but it has been tremendous."¹

Florida cities have often been ranked among the top cities in the nation in the rate of serious (Part 1) crimes. In fact, in the early 1980s, Gainesville (including Alachua County) had the dubious

¹ Time, March 23rd, 1981

² Judge David L. Bazelon, Journal of the American Bar Association, pgs. 438-442, April, 1981

distinction of being one of the top ten cities in the nation in terms of numbers of crimes committed per capita. Our community was ranked fourth in 1980 and fifth in 1981 in such statistics. In fact, Gainesville was ranked eighth nationally in the ratio of violent crimes (murders, rapes, robberies, assaults) to population. Gainesville was ranked fifth and sixth, respectively, in numbers of rapes and aggravated assaults per 100,000 residents. This was more than double the national average.

This high incidence of crime in Gainesville and Alachua County prompted the Gainesville Area Chamber of Commerce and the University of Florida to create in 1981 the Alachua County Citizens' Committee on Crime. This committee, made up of 21 citizens from throughout the County, met for some ten months and developed a report entitled, "Combatting Crime in Alachua County." This report contained an analysis of the problem and more than sixty recommendations for improving the criminal justice system (law enforcement, the judiciary, prisons and parole, etc.). Many of these recommendations were implemented.

Although the incidence of serious crime nationally would appear to be as great or greater than ten years ago when this Citizens' report was issued, Gainesville is no longer ranked among the top cities nationally in the incidence of such crime. In fact, The Gainesville Sun recently reported that the 1991 crime index rate for Alachua County was 18,720, which is roughly in the middle of the national list of metropolitan areas with 100,000 people or more.

In 1991, the City of Gainesville had 9,259 Part One crimes and ranked twelfth in the state in per capita crime rate. This is a significant improvement over the situation which existed a decade earlier.

It is widely believed that this improvement has been significantly influenced by the implementation of many of the recommendations by the Citizens' Committee on Crime in 1982. Particularly significant among these was the recommendation for substantially strengthening local law enforcement bodies--providing an increased ratio of sworn

¹ The Gainesville Sun, May 3, 1992

officers to population, along with better training, better pay to attract and maintain high quality law enforcement personnel, etc.

Despite the fact that the student murders in the last two years have again focused attention on crime in Alachua County, it would appear that the incidence of crime locally over the last decade has not increased nearly as rapidly as it has in the rest of the country.

Nevertheless, most would agree that the crime rate locally is still unacceptably high, and that every effort must be made to deal with this serious situation.

The challenge of dealing with such high rates has become even more serious, given the declining financial support for local law enforcement in the last three years and the prospects of even more reductions because of current fiscal problems in both City and County governments.

These and other circumstances have prompted the current Committee to explore further the possibility of better integrating local law enforcement bodies which was strongly recommended by another Citizens' Committee a decade ago.

2. Law Enforcement in Alachua County

There are three principal law enforcement bodies in Alachua County accounting for 95 percent of all sworn officers. Following is the distribution of such officers:¹

<u>Enforcement Agency</u>	<u>Percent of Total Officers in County*</u>
Gainesville Police Department	42
Alachua County Sheriff's Office	40
University Police Department	13
Alachua Police Department	2
High Springs Police Department	1
Others	1

* Rounding off of percentage figures results in a total of less than 100%

The municipalities of Archer, Newberry and Hawthorne have contracted with the ASO to provide law enforcement services in excess of what the Sheriff's Office might be able to provide otherwise. The ASO also has a contract with the Oaks Mall Shopping Center for special services. Micanopy has no such contract, and the ASO responds to calls from that municipality as it would those of unincorporated areas.

The University Police Department (UPD) has responsibility for providing very special services related to the protection of people and property on a large university campus. In view of this unique mission and lack of responsibility for matters off campus, it was not deemed feasible for the Committee on Unification to involve the UPD in any proposed merger plan. Attention is, therefore, focused on the GPD and the ASO which have many similar functions but different jurisdictions.

¹ From a presentation by Chief Clifton to the Committee on Unification, October 10, 1991

Following is a summary of personnel and budgets for the GPD and ASO for fiscal year 1991-92:¹

	<u>GPD</u>	<u>ASO</u>
Sworn Personnel	205	198
Non-sworn Personnel	120	115
Total	325	313
Budget	\$14,155,929	\$14,568,800

The above data indicate that in 1991-92, the GPD had slightly more sworn and non-sworn personnel and a slightly lower budget than the ASO. The two units, however, are of approximately the same size in terms of personnel and budget.

The GPD has experienced a reduction of 32 positions since 1989. Moreover, there has been a 14 percent decline in real dollar support for law enforcement in Gainesville during the past three years.

Further indication of the deteriorating situation in Gainesville is the fact there has been a 71 percent increase in delayed response to emergency priority one and two calls due to "no officer available." There has also been an identifiable decline in proactive and preventive policing.

These and other pertinent data strongly support the Committee's conclusion that, unless current trends are changed, the major advances towards innovative law enforcement of the past decade would be lost in favor of a strictly reactive policing model. These and other circumstances prompted the Committee to seek ways of maintaining or, if possible, enhancing law enforcement in the County given the recognized limitations on tax revenue.

¹ Information supplied by GPD and ASO, June 5, 1992

3. Attitudes Towards Local Public Services and the Possibility of Merging Such Services

Citizen Attitude Towards Local Government Services

In June, 1991, the Alachua County Commission sponsored a survey on Alachua County citizen attitudes towards several different services provided by local government. The survey was conducted by faculty members from the Political Science Department at the University of Florida. These services included fire protection, assistance to needy, environmental protection, law enforcement, County jail, economic development, and public works.¹

When asked what services would be most desirable to be maintained and which might be cut in terms of financial support, the following attitudes were reflected county-wide:

<u>Services</u>	<u>County-wide Averages</u>	
	<u>Services Which Might Be Cut</u>	<u>Service Most Important to Keep</u>
Fire Protection	3.7%	10.4%
Assistance to Needy	6.2%	16.3%
Environmental Protection	13.2%	10.3%
Law Enforcement	3.3%	47.3%
County Jail	15.6%	1.3%
Economic Development	21.5%	7.2%
Public Works	25.2%	3.7%

This survey indicated that Alachua County citizens give a higher priority to law enforcement than to any other service provided by local government. In fact, only 3.3 percent of respondents to the survey felt that this service might be cut, and 90 percent of the respondents indicated a willingness to support tax increases rather than see law enforcement services reduced.

The seven services were rated excellent, good, fair, and poor. The following is a breakdown of law enforcement ratings for different areas within the County including the area surrounding the City proposed for annexation, the fringe urban area outside, the proposed annexed area and the remainder of the County (listed as rural).

¹ "A Survey of Citizen Attitudes" Report to Alachua County Commission by Michael D. Martinez and Michael J. Scicchitano of the Political Science Department, University of Florida, 1991

<u>Rating</u>	<u>County-wide</u>	<u>Gainesville</u>	<u>Annexed Area</u>	<u>Fringe</u>	<u>Rural</u>
Excellent	15.0%	12.8%	13.5%	16.1%	19.5%
Good	52.6%	48.3%	53.8%	58.9%	55.0%
Fair	21.2%	24.1%	22.6%	20.8%	15.0%
Poor	6.5%	8.4%	5.8%	3.1%	6.0%

Residents of Gainesville tend to give a lower rating to law enforcement than those in the County, including areas under consideration to be annexed, the "urban fringe" and "rural areas." Significantly, however, more residents ranked law enforcement "good" or "excellent" than any other service (67.6 percent). This indicates a relatively high degree of satisfaction with law enforcement throughout the County, including Gainesville. Law enforcement also had the smallest percentage of residents ranking the service poor.

Citizen Attitude Concerning Changes in Local Government

In 1988, during a county-wide election, voters were asked to express their opinion with regard to several options to modify government within the County. Of the 78,686 registered voters at that time, 50,984 or 65 percent, voted on the various issues on the straw ballot.¹ Following are the data from this referendum:

<u>Most Desired Change</u>	<u>Percent of Total</u>
Unification of Some City and County Services	32.0
Consolidate Gainesville and Alachua County Government	24.7
No Change	24.6
Annexation by Gainesville of Some Urban Areas	11.0
Consolidate County and Local Government in Any Cities Wishing to Do So	5.5
Create New Municipal Area	2.0

Approximately seventy-five percent of the voters favored some change in local government. More favored the unification of some City and County services than any other option. In fact, of those voters favoring change, 43 percent favored the option of unifying certain City and County services. Consolidation of the governments of Gainesville and Alachua County was the second most favored option. In a subsequent referendum, voters rejected the consolidation proposal.

¹ Results of "Straw Ballot" Votes Within Alachua County, Supervisor of Elections, 1988

The Committee reviewed prototype models existing within the U.S., giving particular attention to the experiences of other communities which had merged law enforcement. It also made a comprehensive analysis of the possible economic advantages as well as the potential for delivery of more effective law enforcement services as a result of such a merger. Following such a review and analysis, the Options Subcommittee recommended, and the Committee unanimously agreed, that "no change" in the present system was not a viable option and that the Committee should continue to work out the specific details of merging the two entities.

Rationale for Considering Merger

The following circumstances suggested a strong rationale for merging the two law enforcement bodies:

- 1) the incidence and severity of crime throughout the County pose a serious problem to the entire community;
- 2) there is an increase in the demand for law enforcement service in the form of a demonstrable statistical increase in the number of "calls for service" from the law enforcement agencies within the County and the cities;
- 3) there is an identifiable erosion in the quantity of law enforcement service provided both in the City of Gainesville and Alachua County resulting from fiscal constraints;
- 4) there has been a reduction in (and, indeed, there is a likelihood of the elimination of) many innovative law enforcement programs which have proven successful in the Gainesville community; and
- 5) fiscal/financial experts project a continuing declining financial climate in Gainesville and the Alachua County area for the foreseeable future.

Further, it is the belief of the Committee that unification of law enforcement services presents the opportunity for, and the likelihood of, improved economies and flexibility in the delivery of law enforcement services by combining the personnel of the current existing law enforcement agencies supported by the County and the City.

The Committee also believes that unification will avoid the duplication of both services and capital expenditures. Unification should permit the streamlining of the delivery of services resulting in increased efficiency and effectiveness.

The Committee understands that grant funds are often made available based upon population and, thus, a unified agency would be eligible for increased grant funding.

Based upon these and other circumstances, the Committee unanimously agreed to actively pursue a plan for unifying the GPD and the ASO. It was further agreed that smaller municipalities within the County might become part of the unified system, if desired, by contracting with the new agency just as is currently done with ASO.

Attitude of Law Enforcement Leaders, Government
Officials and Others Towards Merger

During the process followed by the Committee, many individuals and groups expressed their feelings about the merger of local law enforcement agencies. The overwhelming response to the issue was very positive--indeed, enthusiastic--in many cases. The limited expressed opposition occurred before the Committee had presented a plan for merging the two bodies.

At the beginning of the process, the leadership of the Committee appeared before the City and County Commissions to apprise them of the effort. Both commissions expressed their support of the Committee's work, without, of course, endorsing its final product.

Early in the work of the Committee, City Manager, Paul White, presented a plan calling for the merger of the two law enforcement bodies. He pointed out that the merger of the ASO and the GPD has been "discussed at length for years."

In presenting his plan for the merger of the two bodies, Mr. White said:

"...As we approach the challenges of the 1990s in terms of stretching the ever-limited dollars available, municipal leaders must reach creative solutions to providing government services.... It is imperative that we seek to provide undiminished public safety. In my opinion, we face no option other than removal of duplication of service delivery and the unification of law enforcement services to our common residents who have a right to expect protection from the ever growing criminal element. Unification of law enforcement services would

provide much greater flexibility in devising innovative strategies to respond to crime and its perpetrators. Please accept this proposal as my commitment to work towards a unified strategy of public safety protection in Gainesville and Alachua County."

Mr. White presented a proposal which would have the unified entity responsible to a special law enforcement board composed of the following representatives: two City of Gainesville commissioners, two Alachua County commissioners, two commissioners from other municipalities within Alachua County, and the Gainesville City Manager.

The County Commission unanimously agreed "to fully endorse the unification of public safety services (and) support the effort in any way through the cooperation of staff and the Board."

Following is a statement of County Commissioner (now Chairman) Leveda Brown:

"Speaking as one member of the Alachua County Commission, I am here to tell you that the unification of law enforcement services is long overdue. While separate organizations might have made sense in years past, the community of Gainesville would be more efficiently and effectively served by one streamlined law enforcement agency. You are preaching to the choir in seeking my support."

One entire meeting of the Committee involved a presentation by a high official in the Jacksonville/Duval County Police Department to discuss in detail the experiences of that agency when the Jacksonville Police Department and the Duval County Sheriff's Department merged over two decades ago. Chief W.H. Johnson addressed the positive and negative aspects of merging the two departments in Duval County. He concluded by saying:

"I think consolidated law enforcement is far and away the best way to go, but it is not the cheapest way to go, not in the first years. The benefit of pulling units together is that it gives you the ability to take this mass of employees and distribute them in a significantly better manner. It will give you a significantly better presence on the street. Gainesville is a large, progressive and active city. In my opinion, it needs consolidated law enforcement."²

¹ Statement by County Commissioner Leveda Brown before the Unification Committee, September 9, 1991

² Comments by Chief Johnson before the merger committee on October 2, 1991

Both the Chief of the Gainesville Police Department and the Sheriff of Alachua County expressed strong support for the idea of merging two major law enforcement bodies in the County.

Chief Clifton referred to unification as "an innovative response to diminishing resources."¹ He pointed out that merging the two departments would result in greater operational effectiveness and increased efficiency. He suggested that elimination of duplication with the two services should result in significant savings. He also emphasized that such a merger would result in an increased ability for specialized response to problem areas.

Sheriff Hindery was supportive of Chief Clifton's comments regarding the advantage of merging the two forces, saying that he has supported unification for years and now "it was time to stop talking and start acting."¹

In a later public statement, Chief Clifton made the following comments on the subject:

"It's time to bring together the services provided by the Sheriff's Office and the GPD in a coordinated, businesslike approach. For most of my career in local law enforcement management, I have advocated the elimination of duplicative support service structures in favor of more cops on the street. Initial analysis reveals that by simple reallocation of resources made possible by merger, an additional fifty (50) law enforcement personnel could be applied to fight crime in (this area). The merger of law enforcement...is an idea whose time has arrived."

The Gainesville Sun in an editorial on April 9, 1992, indicated strong support for the merger of City and County law enforcement. Following are excerpts from this editorial:

"No matter who becomes the next Sheriff, there is need for a broad-based, long-term citizens' campaign to advance the consolidation idea itself.

"The merger of City and County law enforcement is the cause that overshadows the question of who should be the next Sheriff. The inability, or the refusal, of the two departments to cooperate over the years has been a source of frustration in this community for too long....

¹ Statements by Chief Clifton and Sheriff Hindery before the Unification Committee, October 10, 1991.

- o There would be no increase in funding (as a percent of the two Commissions' total budget) for the first three years after merger.
- o The Director of Law Enforcement would be empowered to negotiate separate contracts with the outlying municipalities within Alachua County for provision of enhanced services.
- o Employees of the new unified law enforcement agency would remain under their current retirement/pension plan as it exists on the effective date of the merger. Consideration might be given to giving employees coming into the agency an opportunity to be a part of a new retirement plan if this is desired.
- o The effective date for implementing a unified system would be any date on or after October 1, 1993, based upon provisions of both the City and Alachua County Charter as voted on by the citizens of Gainesville and by the citizens of Alachua County.

Most of the foregoing terms for implementing the proposed merger were approved by a unanimous vote of the Committee. It should be noted, however, that some members favored a partisan rather than a nonpartisan election. Most, if not all, members favored an elective Director of Law Enforcement, with specified credential requirements, rather than an appointive Director.

One of the most difficult issues facing the Committee was the matter of funding an agency supported by and responsible to different government entities. After lengthy deliberations, agreement was reached on the approach above. Some further explanation of the proposal may be helpful.

With funding related directly to the level of service provided the geographic areas under the jurisdiction of each body, it should be possible to readily define the level of funding for the field operations segment of the budget. It is expected that the initial level of funding will correspond to the financial support provided this function by the two Commissions at the time of the merger. Afterwards if either Commission wished to increase its level of service in its geographic area of responsibility, it could expand its funding level accordingly. For the portion of the budget related to administrative and support functions, each Commission would expect to fund such functions based

upon the relative amounts provided the field operations. For example, assume 70 percent of the budget was allocated to field operations and 30 percent to administration and support functions (communications, records, special crime labs, etc.). Assume further that the City had 60 percent of the total field force covering its geographic area and the County, the remaining 40 percent. The City would, therefore, be responsible for 60 percent of the administration and support budget and the County 40 percent.

With such an approach, each Commission would approve that portion of the total budget related to the level of service provided the geographic area under its jurisdiction. That portion for administration and support functions would automatically be determined by the relative amounts of resources each devoted to field operations.

The Committee believes this approach is fair and reasonable to both governmental bodies. Each Commission would control the level of services and related funding within its geographic jurisdiction--as it now does.

The Committee considered the possibility of the County jail being administratively responsible to the combined law enforcement agency. After examining the reasons for removing the jail from the Sheriff's responsibility some time ago and experiences with this issue in a number of other communities, the Committee recommended that the jail remain independent of the combined law enforcement agency.

6. Benefits To Be Derived From Merger

Once the terms of the proposed plan began to take shape, the Committee examined in some detail the benefits that might result from such a merger. Representatives of both the GPD and ASO worked closely with the Committee supplying the information needed to determine the likely benefits that would accrue from such a merger.

Based upon an analysis of present sworn officers and civilian positions within the GPD and the ASO, the following summary is a conservative estimate of expected savings:

- o Fourteen sworn officer positions could be re-deployed by phasing out of duplicative support service positions currently staffed by sworn officers and putting civilians in positions unnecessarily occupied by sworn officers.
- o Thirty-seven civilian positions could be phased out when existing organizational components are merged.
- o Funds identified with these changes approximate \$1,900,000 annually.

It is proposed that all sworn officers would be retained upon merger. Positions not needed after merger would be converted to patrol positions in incremental fashion. Persons staffing positions to be phased out would be re-deployed to a direct service role.

Civilian positions not needed after the organizational merger would be eliminated in incremental fashion with the assigned funds re-deployed to direct service operations. Insofar as possible, civilian positions would be vacated through attrition.

Salaries and Grades

All personnel would be transferred to the new unified law enforcement agency at their present salaries and personnel grade levels. Therefore, no additional costs should be incurred upon merger and, ultimately, significant net savings should accrue as grade levels are restructured to conform with actual requirements.

Retirement and Fringe Benefits

Standard retirement and fringe benefit packages would be selected for the merged agency. The standard packages could be either of the two existing packages now utilized by the Gainesville Police Department

and the Alachua County Sheriff's Office, respectively. Alternatively, a different plan might be developed after merger for new employees.

All persons transferred to the newly merged agency who were fully vested in a retirement plan would retain their present retirement plan and other fringe benefits as long as they are employed by the new agency. The "standard packages" would be used for all new employees hired after the date of merger.

No additional costs for retirement and fringe benefits should accrue from the proposed plan.

There are a number of other important considerations relating to the proposed merger.

Communications

The merger of communication centers would create many benefits:

- o It would reduce the cost of purchase and maintaining two computer-aided dispatch (CAD) systems. By eliminating the cost of one complete system, a significant saving would be experienced in capital expenditures.
- o All emergency 911 calls would be routed through one center, eliminating the need for transferring emergency calls from one center to another, speeding up and expediting the entire emergency call process.
- o A reduction in personnel costs would result from staffing one center rather than two.
- o A better coordinated approach to dispatching calls for service would take place as all public safety dispatching would be generated from one center.
- o In times of emergency, one center would be better able to meet the needs of all public safety agencies involved.

Records

The merger of record systems would be beneficial for the following reasons:

- o It would reduce the need for some computer hardware and software purchases.
- o There would be a financial saving in staffing because fewer personnel would be needed to run just one center.

- o There would be the elimination of duplicating "like" records that both systems must maintain.
- o People who need to access records would only have to search one system as opposed to two which are located in different facilities.

Capital Expenditures

The Jacksonville/Duval County law enforcement merger is reported to have involved significant start-up costs. This grew out of the fact that all new uniforms were initially supplied for the combined force, mobile vehicles and other equipment were standardized upon merger, a major new facility was constructed to accommodate the combined force, and so forth.

Our committee believes that the merger of the GPD and ASO may not involve a significant conversion cost. A move to standard equipment and uniforms can be accomplished in incremental fashion based upon regular replacement scheduling. It is estimated that uniformity of mobile and portable radios, weaponry, vehicles, and uniforms could be accomplished within a three-year period with no additional fiscal impact upon the citizens of Gainesville and Alachua County. There are no plans currently under consideration for constructing new facilities for either the GPD or ASO.

Conclusions

It is estimated that the above plan would result in the addition of 38 fully equipped, sworn officers to direct law enforcement roles with no additional cost to the taxpayers. This would constitute a 17.8 percent increase in the number of sworn officers currently assigned to direct service duties within the combined agency.

7. Implementation of Recommended Proposal

To achieve a merger of the GPD and ASO would require a modification in both the City and County Charters. For this to be accomplished would require a favorable vote by the citizens in both the City and the County (with the County vote including the citizens of Gainesville).

The most direct approach for getting this issue before the voters would be for the City and County Commissions to place this issue on the ballot to be voted on by the electorate in their respective jurisdictions. The County Charter Review Commission has taken preliminary action to recommend that the proposal for merging the two bodies be placed on the ballot in the November, 1992, general election. Apparently the City plans no action on this issue until after the 1992 general election.

If the City does not choose to put a proposed merger on the ballot for a vote by City residents, the issue could be placed on the ballot through a petition with signatures of five percent of the electorate.

The other option for getting this matter before the people to be voted on would be for the local legislative delegation to secure the passage of a "local" bill calling for the issue to be placed on the ballot. Such action by the legislative delegation would not necessarily reflect an endorsement of the concept of unification but would merely enable the electorate to vote on the issue. The Committee believes that this is the least desirable of all the possible options.

The merger of the two law enforcement bodies would occur only after a majority of the voters in both Gainesville and Alachua County had endorsed the idea.

Appendix B

**RECOMMENDATIONS AS APPROVED BY
THE CHARTER REVIEW COMMISSION**

- 1) The Alachua County Sheriff's Office and the Gainesville Police Department be merged under a single Director of Law Enforcement.
- 2) The Director of Law Enforcement would be elected by the citizens of Alachua County, including the City of Gainesville, in a partisan election format.
- 3) The Director of Law Enforcement would be subject to the recall provisions of Florida State laws.
- 4) The Director of Law Enforcement would be subject to the collective bargaining laws of the State of Florida for affected employees.
- 5) The Director of Law Enforcement would have no right to appeal the budget for the merged agency to the Cabinet of the State of Florida.
- 6) The minimum qualifications for the Office of Director of Law Enforcement would be the same as those provided by Florida Statute for elected Sheriffs within the State of Florida. Term of office will be four (4) years.

- 7) The Director of Law Enforcement would carry out the duties and responsibilities of Chapter 30 of the Florida Statutes.
 - 8) The Director of Law Enforcement would be compensated based upon the current funding formula for Sheriffs pursuant to Florida State Statutes.
 - 9) Funding for the new merged agency would be no more the first two years than the percentage amount spent in the combined FY 1991-92 budgets of the two agencies; funding for the agency will be separately appropriated by the County and the City of Gainesville.
 - 10) The Director of Law Enforcement would have the power and authority to negotiate separate contracts with the other municipalities within Alachua County for provision of enhanced services.
 - 11) Employees of the merged law enforcement agency would not lose pension benefits as result of merger.
 - 12) The effective date of the unified agency would be the first Tuesday following the first Monday in January 1997, subject to the approval by the electors of the County and electors of Gainesville; the director of law enforcement will be elected in the 1996 general election.
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Appendix C

TOWARD FAIR REPRESENTATION IN GAINESVILLE:
ISSUES AND EVIDENCE

by

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A report prepared at the request of the Charter Review Committee,
City of Gainesville

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All comments, interpretations and analyses contained in this report are the responsibility of the author and do not necessarily reflect the views or opinions of the University of Florida or any of its agencies.

When the current Gainesville charter was formulated in 1927, it followed a common municipal practice of the time by providing for the at-large election of city commissioners. The use of citywide elections (also known as multimember districts) heeded the principle that citizens should exercise a voice in the selection of each member of the city commission. Today, that estimable principle comes into conflict with another urgent goal--providing Gainesville's black citizens with the fullest possible opportunity to achieve consistent representation in municipal government. The prospects for reaching the goal of minority representation would be enhanced significantly if commissioners were elected by citizens grouped in geographically-defined sections of the city (known as single member districts).

Rather than force a choice between two electoral systems, each possessing some desirable features, the members of the Charter Review Committee have recommended a solution increasingly adopted by other communities faced with the same dilemma. They suggest that Gainesville adopt a mixed electoral system with some seats on the commission elected by districts and other elected at large.⁽¹⁾ By combining the two methods of election, the plans proposed for consideration give each citizen a voice in the selection of a majority of commissioners. Yet the proposals also favor the electoral chances of candidates from the black community by producing one district that would contain a majority of black residents. The mixed plan with at-large and district seats thus preserves the principle of giving citizens a strong voice in determining the composition of the commission as a whole while simultaneously achieving the goal of representation for all communities in Gainesville.

The following report contains four parts, a list of references, and an

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(1) Candidates for district seats would be required to reside within the boundaries of the district and only residents of the district would be entitled to vote for the representative from that district.

appendix. The first section examines the representational consequences of single member and multimember election districts. It is followed by a discussion of recent legislative and judicial action that bears upon local government electoral systems. The third section contains a review of the evidence about the effects of different types of electoral systems on various aspects of municipal government. The fourth section is devoted to some of the practical and technical issues involved in drawing district boundaries. The appendix presents three district plans prepared for the Charter Review Committee.

1. THE MOVEMENT TOWARD SINGLE MEMBER DISTRICTING

By considering the adoption of some single member districts for city commission elections, Gainesville is following a well-established national trend. During the decade of the 1970s, more than half the cities of the South shifted from a system of at-large municipal representation to some form of district elections or undertook efforts in that direction (Heilig and Hundt, 1984, p. 10). (2) The movement to replace or supplement at-large systems with district representation was stimulated by a growing recognition that citywide election districts militated against the success of candidates representing spatially-concentrated voter groups. Under the charge of "vote dilution," at-large systems have been increasingly challenged as a barrier to the representation of racial minorities and neighborhood political organizations.

Though it lacks a precise legal definition, vote dilution occurs when "the voting strength of an ethnic or racial minority group is diminished or cancelled out by the bloc vote of the majority" (Chandler, 1984, p. 4). (3) Such dilution is most likely to occur when an electoral system mandates that (a) public offices are voted upon by all citizens in a jurisdiction ("at-large" elections or "multi-member" districts), (b) citizens have one vote per contested office, and (c) victory is awarded to the candidate receiving the largest number of votes and/or an absolute majority of votes cast ("winner-take-all" elections). The

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(2) This conclusion was derived from a mail survey of Southern cities with a total population of at least 10,000 and a black population component of at least 15%.

(3) In principle, vote dilution could work to the disadvantage of any geographically-concentrated group--the elderly, suburbanites, college students, etc. In practice, such groups normally demonstrate low levels of voting cohesion and there is little evidence of vote polarization between members of the groups and the remainder of the electorate. More importantly, as courts have pointed out, blacks and other ethnic minorities have a history of suffering invidious discrimination and thus have the strongest claim for legal remedies to encourage political representation.

operation of vote dilution under such conditions has been ably described by Parker (1984, p. 87):

At-large voting constitutes a form of racially discriminatory districting when it submerges minority voting strength in a districtwide white voting majority. Minority voters might constitute a substantial majority in a particular area of the district, or in particular wards or precincts, but a decided minority in the district as a whole. At-large voting schemes discriminate because of their "winner-take-all" feature, permitting the white districtwide majority to elect all their representatives from the district and denying to minority voters representation of their choice.

Even in a "fair" electoral system, a system providing full and unfettered access to the franchise and candidacy for public office, the exclusive use of at-large districts with the winner-take-all decision rule may serve to bias election outcomes against candidates representing geographically-concentrated voter groups.

While it might otherwise be considered a technical flaw in a representation system, vote dilution has been given so much attention precisely because it tends to strike hardest against the group of citizens who were for so long denied "first class citizenship" in American life--the black community (Matthews and Prothro, 1966, p. 10). No other group suffered from such a concerted effort to deny the rights of citizenship nor had so much stake in achieving fair electoral representation. The early battles in the civil rights movement identified and attacked the most blatant forms of racial discrimination in the electoral process--poll taxes, the "white primary", biased voter information and literacy tests, restrictive registration practices, and the less formal but no less effective methods involving intimidation, threat, and physical violence. For the most part, these methods of racial discrimination have been outlawed and

their effects minimized by a series of constitutional amendments, federal and state statutes, and court decisions. The result has been a massive increase in the level of political involvement among blacks and a corresponding growth in the election of blacks to public office at the local, state, and national level.

Despite these reforms, the level of black representation at the local level of government has not kept pace with the growth of the black electorate. As the civil rights movement turned its attention to the less obvious impediments to black representation, at-large election systems came under increasing attack as an important barrier to the success of black candidates for public office. The tendency of citywide electorates to cancel out or swamp the votes of racial minorities, coupled with the "financial costs, organizational demands, and need for widespread name recognition associated with city-wide campaigns" (Heilig and Mundt, 1984, p. 5), meant that black candidates were especially disadvantaged by the at-large system. Even if a substantial portion of white voters were willing on principle to support black candidates, the unequal distribution of politically-relevant resources would put such candidates at a comparative disadvantage in competing for citywide electoral support.

A string of research studies, largely published during the 1970s, confirmed statistically that at-large election systems, when compared with partial or wholly district-based elections, were associated with a lower rate of election among black candidates (see Davidson and Korbel, 1984, pp. 71-74). Though conducted in a variety of locations using different statistical methods and alternative measurement schemes, these studies followed a common research design which compared the level of black representation across cities that were grouped according to the type of electoral system in force--usually either at-large, district, or a combination of the two.(4) With a degree of unanimity that is rare

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(4) In most of the studies, the variable under investigation was a measure of "representational equity," usually the ratio of minority officeholders as a percentage of total officials to the minority share of the total population.

in empirical social analysis, these studies converged on the conclusion that "racial minorities are much more likely to be proportionately represented in city councils when single-member districts are used" (Jewell, 1982, p. 130).(5) Moreover, these studies used a variety of "multivariate" statistical methods to confirm that among all the factors that might affect the electoral success of black candidates, the use of at-large election systems was the most powerful deterrent to black representation. The evidence that at-large systems work against the election of blacks to municipal office was described as "vast and persuasive" in one recent review (Stekler, 1986, p. 476) and as "overwhelming" by Susan Welch (Bledsoe and Welch, 1985, p. 469), one of the leading national authorities on the impact of electoral structures.

The conclusion gains yet additional force from the finding that the adoption of district elections, as an alternative or supplement to at-large elections, usually produces increases in the number of black office-holders. After comparing the composition of city councils in cities that had and had not switched from at-large to district elections, Heilig and Mundt (1984, p. 150) concluded "There is no question that blacks have achieved greater equity in local representation as a result of movements to districts; this is the most obvious impact of changing local electoral structure." Davidson and Korbel (1984, pp. 74-76) recently reported the results of a study of minority (i.e., black and Hispanic) representation in twenty-one municipal jurisdictions that switched from at-large to district elections during the 1970s.(6) Representational

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This measure takes into account that the level of minority representation is strongly conditioned by the size of the minority group.

(5) The same conclusion held for studies of southern state legislatures.

(6) The inclusion of Hispanics, who are usually less geographically-concentrated than blacks, may understate the true extent of vote dilution under at-large systems and the level of representational equity when districting is introduced.

equity was measured by calculating the ratio of the minority percentage of city councillors to the minority share of the population. Before the switch, the average ratio was only 0.28 but it rose to an average of 0.86 once a full complement of officials had been elected under the district system. In the same set of jurisdictions, the representation ratio similarly jumped from 0.38 to 0.97 for state legislative office and from 0.18 to 1.04 for educational boards. As a ratio of 1.0 would represent equal representation relative to population, the results indicate that the adoption of district elections marks a giant stride toward proportional representation. Thus the results of "dynamic" research designs using time-series data mesh very neatly with the conclusions of research studies that employ the more "static" technique of comparing different types of cities at a single time.

These studies do not support the conclusion that at-large election systems inevitably prevent successful candidacies by blacks nor that district representation will always and everywhere produce an increase in the number of black elected officials. A variety of factors--social, political, cultural, demographic--make the relationship between electoral structure and minority representation contingent rather than absolute. Nonetheless, the studies examined for this report do indicate strongly that the probability of electing blacks to office increases sharply with some form of districting. Conversely, blacks are unlikely to obtain a share of council seats commensurate with their population share in a system where all seats are determined by citywide votes.

2. LEGAL DEVELOPMENTS AFFECTING LOCAL GOVERNMENT DISTRICTING

Until the early 1980s, the legal status of at-large elections was shrouded in doubt and ambiguity. Rather than issue any clear directives about the compatibility of at-large elections with constitutional requirements about equal voting rights, the courts had dealt with the issue on a case-by-case basis. The piece-meal approach was abandoned with a flurry of judicial and legislative activity early in the 1980s. As a result, the constitutional status of at-large systems of municipal elections is much clearer now than it was during the 1970s. This section traces the legal evolution of the vote dilution concept from the 1960s through the present day.

The issue of vote dilution arose obliquely when the Supreme Court finally chose to assert jurisdiction over legislative apportionment in the 1960s. Though the early apportionment cases focused principally on gross disparities in size between different districts, the "one person, one vote" principle that emerged from these cases touched on the relationship between vote equality and electoral systems. Specifically, these cases called attention to the circumstances under which votes were aggregated and led to the realization, as expressed by Dixon (quoted in Parker, 1984, p. 86), that "A mathematically equal vote which is politically worthless because of gerrymandering or winner-take-all districting is as deceiving as 'emperor's clothes.'"

The Supreme Court recognized early on that at-large elections might operate to nullify the electoral power of minority groups and thus fall afoul of constitutional provisions affecting equal rights in voting. In a 1965 case, the Supreme Court had warned that multi-member districts (meaning at-large election systems) could be invalidated if "they operated ('designedly or otherwise') to minimize or cancel out the voting strength of racial or political elements of the voting population" (Derfner, 1984, p. 147). Subsequent decisions appeared to suggest that at-large elections could be sustained as constitutional so long as

that type of electoral system did not impair the ability of minority groups to participate effectively in the electoral process. Under that test, local circumstances appeared to dictate whether an at-large system was deemed discriminatory or acceptably neutral.

The uncertainty surrounding the standards appropriate to determining the constitutionality of at-large systems was dissipated, though only temporarily, by the Court's decision in the 1980 case, City of Mobile v. Bolden (1980). In Derfner's summary (1984, p. 148), "That opinion held that vote dilution under the Fourteenth Amendment could not be established without proof of a racially discriminatory purpose in the adoption or maintenance of the at-large election system." For proof of discrimination, it was not sufficient to demonstrate that blacks were unlikely to be elected under at-large systems because of such factors as racially-polarized bloc voting, resource differences between black and white candidates, the existence of slating mechanisms or the like. These factors had been considered in previous cases where at-large election systems faced judicial scrutiny. Rather, "the Mobile opinion decision eliminated the possibility of proving discriminatory purpose through circumstantial evidence and replaced it with a stringent rule demanding proof of discriminatory purpose and requiring that it be shown by direct evidence only" (Derfner, 1984, p. 148). For all practical purposes, the Mobile decision required plaintiffs to produce a "smoking gun" that would demonstrate that the original or contemporary purpose of at-large elections was to deny public office to blacks.

The difficulty of proving discriminatory "intent" prompted Congressional leaders to address the issue of vote dilution when the Voting Rights Act came up for review in 1982. The thrust of the Voting Rights Act Amendments (U.S. Congress, 1982) was to restore the pre-Mobile situation by enabling the courts to consider factors other than intent when judging the impact of at-large systems on minority group voters. While the statute stopped short of insisting

that the absence of statistical equity in representation was sufficient to establish discrimination, it broadened the kinds of evidence that courts were advised to consider in examining electoral systems.

Specifically, instead of looking solely at the origins of election systems, the law now mandated that attention be paid to the results of electoral systems upon the representation of minority groups. In the stark language of the House committee report upon the voting rights amendments, "It would be illegal for an at-large election scheme for a particular state or local body to permit a bloc voting majority over a substantial period of time consistently to defeat minority candidates or candidates identified with the interests of a racial or language minority" (quoted in Derfner, 1984, p. 157). In deciding when at-large elections produce such impermissible dilution of minority voting strength, the House suggested that judges look at "an aggregate of objective factors." The relevant factors for judging whether any voting scheme has the effect of denying full minority participation included a history of discrimination in the suffrage, the employment of devices to safeguard majority power at the expense of minority power, racially-polarized voting patterns, the majority requirement for election, candidate slating practices, and the existence of at-large positions. In the report of the Senate committee, the list of factors was expanded to include the resource base of the minority community, the employment of overt or subtle racial appeals in political campaigns, and the success of black candidates in elections for public office (Derfner, 1984, pp. 157-158).

The courts appear to have responded to this directive in subsequent cases where at-large systems were challenged with fostering vote dilution. In Hogers v. Lodge, a 1982 decision, the Supreme Court maintained that discriminatory purpose was the key factor in determining the constitutionality of an at-large system in Burke County, Georgia. Unlike the Mobile decision, the Court accepted as evidence of discriminatory intent a wide range of factors beyond the

circumstances that first attended the adoption of an at-large system. Similarly, in the recently decided case of Thornburg v. Gingles (1986), the Supreme Court rejected the use of multi-member districts for state legislative elections in North Carolina, citing the prevalence of racially-polarized voting as an indicator of purposeful vote dilution. The thrust of such decisions has been to leave at-large elections in a condition of precarious constitutionality, hinging in large part on whether they produce consistent black representation, and to accelerate the trend toward the adoption of districts in place of or in addition to at-large election schemes (Pieper, 1985, pp. 357-359).

Given the absence of any formal schemes to assess the meaning of some of these criteria, their applicability to any particular jurisdiction will be determined by the courts on a case-by-case basis (MacManus and Bullock, 1985). The Gingles decision, coupled with the decisional trend in lower courts, suggests that the principal factors to be investigated in Southern jurisdictions where vote dilution has been asserted are the level of black representation on elective bodies and the degree to which voting patterns follow racial lines (Jacobs and O'Rourke, 1986; Engstrom and McDonald, 1985). The courts will also consider historical evidence of discrimination, other electoral mechanisms, slating practices, socioeconomic disparities that depress minority participation, racial appeals in campaigns, responsiveness by public officials to minority interests, and any remaining formal hindrances to registration, voting or candidacy (Parker, 1983, pp. 750-764).

3. ARGUMENTS ABOUT AT-LARGE VS. DISTRICT REPRESENTATION

Thanks to a large body of studies that examine the representational consequences of different electoral structures, we can speak with great confidence about how voting arrangements affect the racial composition of municipal councils. Unfortunately, scholars have devoted much less attention to looking at the policy and administrative results of differing election systems. The lack of guidance on such issues is unfortunate because it is the effect of changing systems on the conduct of governing that constitutes a key issue in decisions about the best or most appropriate form of counting and weighing municipal ballots.

Two research projects demand particular attention because of their focus on the "outcome side" of the district vs. at-large debate. Heilig and Mundt (1984) conducted an intensive study of ten large (predominantly sunbelt) communities that shifted from pure at-large representation to districts (or a combination of district and at-large) some time during the 1960s or 1970s.(7) By examining a relatively small set of cities before and after the switch to district elections, Heilig and Mundt were able to provide an in-depth analysis of the consequences of changing electoral structure upon a wide range of municipal policies and behavior. The diversity of cities in the sample and the use of an unusually wide variety of research methods--including opinion surveys of elites and masses, aggregate data analysis, time-series investigation, direct observation of governmental meetings, and others--lends particular authority to the Heilig-Mundt conclusions. A study more limited in method was published recently by the Lyndon B. Johnson School of Public Affairs (1984) at the University of Texas. This study was based on a survey of community leaders in

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(7) The study also included as a control one city--Peoria, Illinois--that

eight cities, five in Texas, that maintained different types of electoral systems.(8) The LBJ School study relies principally upon the impressions and perceptions of local government elites but it takes advantage of that method to explore a wider range of questions than is evident in the Hellig-Mundt study.

In addition to these two published studies, the Charter Review Committee also heard testimony from a local expert on voting systems, Professor James Button from the Department of Political Science at the University of Florida. Professor Button has spent the last decade examining changes in public policy in Florida municipalities associated with the growing political involvement of black citizens. His research coincided with a period of changing electoral structures in many communities and he was thus able fortuitously to examine how shifts in systems of municipal representation affected local communities in Florida. Professor Button's expertise has been recognized by his status as an expert witness in several vote dilution law-suits in the southeastern United States. This section of the report also relies on a variety of published studies with evidence that bears upon the issue of district vs. at-large election systems.

While these studies provide some guidance about what to expect from changing electoral systems, they cannot be used to issue confident forecasts about what would happen should Gainesville make the transition to a combination of districts and at-large seats on the city commission. In the first place, each community has its own unique blend of history, demography, political culture, social outlooks, and physical characteristics. That Gainesville is different and substantially smaller than most of the communities included in previous studies may well reduce the "fit" of the conclusions to this community. Second,

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(8) Five cities were examined in both studies, leaving the total number of cases at fourteen.

the studies do not confront all the issues likely to arise in the debate over electoral structures. For example, I have found no evidence that bears upon the concern expressed by some members of the committee that district-based election districts would reinforce racially-segregated housing patterns. Finally, some of the arguments that arise in this area use terms that defy precise measurement. Consider as an example the claim made by opponents of districting that it lowers the quality of municipal representation. In order to assess this claim empirically, it would be necessary to agree on what constitutes "good" representation and how that elusive quality might best be measured. In the absence of agreement on appropriate standards, it is not possible to address the argument with solid evidence. Despite these limitations, some evidence is better than none so the results of the studies bear scrutiny.

The debate over local electoral systems covers four general areas which involve a large number of specific questions and issues. One such set has to do with the impact of districts upon the electoral and political process in local government. A related area concerns the nature of representation produced by at-large vs. district elections. The third area covers the broad issue of how the two schemes affect local government decision-making. The fourth and final issue is the specific impact of the change upon disadvantaged groups within the community.

A. Effects on Electoral and Political Process

Supporters of district elections maintain that such elections are likely to encourage higher levels of turnout than will be registered under at-large systems. This higher rate of involvement is likely to occur, it is suggested, both because groups whose votes were previously diluted will now perceive that they have a real voice in city affairs and because all citizens will feel closer to government when representation has a neighborhood base. Some scholars have even suggested a "spillover" effect such that citizens will also become more

active in government between elections. Critics of the district system respond that incumbents may become so well entrenched in their seats that districting may actually diminish the level of competition among candidates and, therefore, reduce the level of mass involvement. Even if turnout should increase, it has been suggested, the quality of voters will decline as district elections encourage participation by less-informed citizens.

Heilig and Mundt (1984, pp. 77-79) found that the introduction of districts produced a sharp surge in turnout (among registered voters) in the first election under the new system but that turnout soon returned to the general level it had attained under the at-large system. Most of the surge was attributable not to districts *per se* but rather to the sudden appearance of open seats which attracted a sizable number of candidates. Once the new system was fully operational, the level of competition stabilized and turnout went back to its customary level. While overall turnout might not have changed, Heilig and Mundt did note evidence that participation increased among the less affluent once districts were in place. The LBJ School study found no consistent turnout differences between at-large and district systems and no special impact for racial minorities.

Despite the absence of continuing increases in voter participation, evidence based on interviews with community leaders in the LBJ School study suggests that other forms of involvement do increase when districts are implemented. The LBJ School study reported that "in all of the cities where some form of districting has been instituted, respondents overwhelmingly note increases in community participation. Respondents in many districted cities assert that the new system has heightened the political awareness of citizens. Community leaders in Fort Worth and San Antonio, for example, claim that minorities are more aware of public issues and are better educated about the political process" (LBJ School, 1984, p. 64). The study points to evidence of the growth of issue-oriented

citizen groups, the greater involvement of volunteers in campaigns, and more active citizen monitoring of city council meetings--all of which are traced to the feeling of empowerment that district elections are hypothesized to bring about. Professor Button reported his finding that blacks were especially likely to gain confidence in government and in their own sense of political competence when black representatives sat on local government authorities. A recent study by Bledsoe (1986) confirmed with national survey data that blacks residing in cities with district or mixed electoral systems were more likely than their counterparts in at-large cities to report positive feelings about the responsiveness of local government.

Campaigning is another area where the two basic electoral systems are presumed to differ. Critics of at-large systems contend that citywide elections require considerable campaign treasuries and thus limit serious candidacies to persons who possess private wealth or access to contributions. They maintain that smaller districts reduce costs by eliminating the need for more expensive techniques--especially reliance on mass media--and promoting opportunities for candidates who can mobilize volunteer supporters.

The poor quality of campaign spending reports makes it particularly difficult to issue confident conclusions about district vs. at-large systems. Using considerable caution, Heilig and Mundt (1984, pp. 70-76) note that data from cities with mixed at-large/district representation support the conclusion that district elections are cheaper. However, the overall cost of elections and the relative contribution of money to electoral success is the same under both systems. The LBJ School study (1984, pp. 67-72) reached the conclusion that campaign spending did not vary systematically with the type of electoral system. They did report some evidence that lower costs for running in a district might constitute a major factor for economically-disadvantaged candidates who could not otherwise compete financially on a citywide basis. The study also examined

perceptions about other campaigning differences between the two systems. Districting encouraged the adoption of "grass roots" campaign strategies in preference to media-based efforts and marginally expanded the number of private contributors to campaigns.

B. Effects on the Nature of Representation

Election systems may have an impact upon the type of person who is selected to sit upon city councils. The most dramatic and sustained impact is upon racial composition; as demonstrated previously, districted cities are much likelier to elect blacks than at-large cities. But beyond this well-documented result, there are more contestable assertions about the nature of representation associated with the different types of election systems. The three themes that recur in discussions about the merits of election schemes are diversity, role orientation, and accountability. Advocates of district schemes assert that such systems produce a more diverse and heterogeneous pool of elected officials, that such officials are more attentive to the interests of constituents and neighborhoods, and have more direct and intense interaction with their constituents.⁽⁹⁾ The opponents of districting do not necessarily disagree about whether such outcomes are likely; rather, they question the impact of district schemes upon the quality of public officials elected to municipal positions.

The evidence is strongest on the question about heterogeneity of candidates and officials under district schemes. Geographical diversity is achieved by definition when council members are required by law to reside in certain areas. But social diversity may result both because socially distinctive districts may

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(9) There is compelling historical evidence (Hays, 1965) that the introduction of at-large systems was motivated in large part by a desire to minimize the diversity on councils and diminish the political "clout" of working-class, ethnic and minority groups.

send their "typical" citizen to the council and because lower-status candidates may fare better in elections which require smaller levels of expenditure. In practice, however, the outcome is more complex.

It is true, according to a number of studies (Heilig and Mundt, 1984; LBJ School, 1984; Bledsoe and Welch, 1985) that the social mix of candidates and council members varies between the two types of representation systems. But the nature of the change is more accurately charted as a shift in predominance between two groups of relatively high status citizens than the displacement of high-status council members by low-status officials. In all the studies I have located, districting was associated with a decline in the level of business representation and an increase in the election of council members from the professional/administrative sector. The collective social status of the councils did not differ markedly from this shift between sectors (Reh fuss, 1972). For example, Bledsoe and Welch (1985) found that most members of a national sample of councillors were recruited principally from the ranks of the high-income population (annual incomes of \$35,000 and up) and from those who possessed college or postgraduate degrees. The variations between councillors from district and at-large cities, while measurable, were slight compared to the degree to which elected officials in all cities diverged from the general population.

Even the shift between business and nonbusiness elites is probably not a direct consequence of districting. This transformation has occurred to a substantial degree at all levels of government and in all communities as public decision-making increases in scope and complexity, demanding the same organizational and administrative skills required in professional occupations. What districting accomplished, in the apt phrase of Heilig and Mundt (1984, p. 66), was to "clear the way" for this shift by producing more rapid turnover in council seats due to the introduction of new elective positions. Thus, both the

advocates and opponents of districting appear to have exaggerated the social (as opposed to racial) changes produced on councils when electoral systems have shifted. To the extent that educational and occupational status is an indication of "quality" of representation--a highly disputable assumption to be sure--the caliber of public officials is largely unaffected by the electoral structure.

What about the question of accountability between public officials and constituents under the two electoral systems? Are district representatives in fact "closer" to their constituents than council members elected citywide? While measuring a quality such as closeness is perilous, the major studies suggest that citizens are indeed more likely to contact district representatives about their concerns and problems than is true for at-large cities. Heilig and Mundt (1984, p. 89) report that council members from at-large communities had received an average of fifteen citizen-initiated contacts per week prior to districting.⁽¹⁰⁾ After the implementation of districts, the load increased but was redistributed from the at-large representatives to their district counterparts. In particular, representatives from low, medium and high-income districts received, respectively, 25, 23 and 10 citizen-initiated contacts per week while those who retained at-large seats reported a drop to just three such interactions in an average week. Increases in constituent contact under districting were similarly confirmed in the LBJ School study (1984, pp. 52-53).

The finding that constituent contacts follow a social pattern--more contacts at low income levels--raises another important question that is quite often at the core of debates over electoral systems. What appears to advocates of districts as greater accountability of elected officials to constituents may be

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(10) Because the number of such contacts varied substantially from one council member to another, the median is the most accurate measure of underlying tendencies. That is the statistic reported by reference to "averages."

labelled as narrowness and parochialism by supporters of at-large representation. Do district representatives spend a disproportionate amount of time on constituents' personal matters that might better be spent on city-wide issues? According to Heilig and Mundt, the role orientation adopted by a council member depends largely upon the income level of the constituency. "Council members elected by affluent districts, as well as those elected at large, focus on 'larger issues'. . . they do not feel that their service on council is linked to the personal needs of their constituents, for those constituents have few problems that local government can solve" (1984, p. 88). On the other hand, because poorer and less-educated citizens "depend more than other citizens upon government for not only amenities but for many of the necessities of urban life," representatives from such districts receive more calls for assistance.

In essence, the council member from such a district may be called upon to fill a different role than his or her counterpart elected at-large or from an affluent area of the city. As Professor Button noted in his presentation, black council members often serve as a conduit for minorities on such matters as directing citizen complaints, providing information about city employment, encouraging membership on other city boards and committees, etc. Perhaps such service accounts for the finding of a survey in Charlotte that black citizens strongly believed that the shift to districts improved the quality of government in their city (Heilig and Mundt, 1984, p. 96).

Does this necessarily mean that "larger" questions of citywide significance are neglected or ignored? Once again, it is not immediately apparent how this question could be addressed with empirical data. Lacking acceptable measurement schemes, the best that we can do is report the perceptions of elites in cities that underwent the change:

. . . most respondents feel that citywide issues are not neglected by municipal policymakers. In fact, residents of San Antonio and Fort

Worth, single-member-district cities, contend that citywide issues are better addressed. With broader representation, many assert, city government cannot focus on narrow concerns but must balance many interests. In Dallas and Charlotte, mixed-system cities, a number of respondents feel that the increased attention to specific neighborhood and minority issues serves to create a balance between citywide and district issues. Although those interviewed in Houston recognize the possibility of representatives adopting narrow perspectives, many indicate that this problem has not occurred (LBJ School, 1984, p. 49).(11)

The same types of issues may dominate the agenda in district and at-large cities because city problems are largely defined by national forces and common social conditions that hardly vary across municipal boundaries. More likely than a change in the public agenda, this evidence suggests, districting has the capacity to bring broader and more diverse perspectives to bear upon problem-solving.

C. Effects on Governmental Decision-Making

The possibility that changing an electoral structure could alter what government actually does and how it does it has been a major concern in the debate over district elections. The early movement to adopt at-large elections was justified as a way to reduce conflict on city governing authorities and to insulate policy-making from "political" considerations. Opponents of district systems continue to argue that at-large systems defuse conflict and allow

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(11) Two unpublished studies confirm this conclusion. Based on a national survey of city council members, Professor Susan Welch has reported that the vast majority of issues considered in district and mixed cities are citywide in scope. The same finding has been reported by Professors James Button and Walter Rosenbaum in their recent survey of elected officials in Florida communities.

decisions to be made on rational grounds. Introducing districts, they contend, might prompt a return to the seamy world of "ward politics" where log-rolling and vote-trading overcome rational standards in service delivery. The research studies considered above have looked into these possibilities.

The most thorough assessment of policy consequences can be found in the Heilig-Mundt study. After an exhaustive study of council proceedings and roll-call votes, they determined that overall contentiousness did not grow in council proceedings upon the adoption of district representation (1984, ch. 6). On the assumption that certain types of divisive issues might receive greater public exposure, they also examined conflict on social welfare policy, public safety (police) matters, planning and zoning debates, and questions involving administrative and personnel policy. Despite the potential for conflict on these issues, there was no consistent pattern of increased polarization when district representatives took over or joined the councils in the cities under study. There were some shifts in the identity of voting blocs when districts were implemented but these tended to be episodic and more dependent upon local conditions than electoral structure. The LBJ School study, which relied upon elite perceptions rather than actual data analysis, reported to the contrary that most observers felt that districting brought with it "more divisive council meetings and the greater councilmember involvement in operational details" (LBJ School, 1984, p. 51).

Another area of concern about districts is the possibility of greater conflict between "council members with aggressive, constituency-based styles, wishing to solve neighborhood or individual problems" and administrators who prefer to channel citizen initiatives through formally-established institutional procedures (Heilig and Mundt, 1984, p. 91). When council members perceive themselves as "ombudsmen" for district residents, they may be tempted by-pass city managers by interacting directly with other subordinate administrators. In

this area, most studies have relied on perceptions. Heilig and Mundt (1984, pp. 91-93) found no correlation between councillor's role orientation and willingness to by-pass the city manager. The LBJ School report (1984, pp. 53-54) indicated greater council-administrator interaction under pure district systems but no clear pattern in the mixed system that Gainesville is likely to consider. City managers, who might be expected to react negatively to the additional administrative involvement of district-oriented representatives, did report that districting produced a higher demand for information from council members and, in some cities, greater intervention in what the managers perceived as the proper province of administration. To balance off these generally negative reactions, other changes brought about by districting were sometimes viewed in a favorable light by city administrators. The managers interviewed by Heilig and Mundt (1984, pp. 93-4) thought that the "personal service" orientation of district representatives reduced citizen frustration with the city and that the support of elected officials for bond issues contributed significantly to their passage.

The final area under consideration has to do with the actual delivery of services and facilities to city residents. Despite the fears of district opponents and the hopes of district advocates, there is no consensus that districting changes patterns of distribution. While respondents in the Heilig-Mundt study perceived some victories for previously-underrepresented groups and neighborhoods, the authors attributed most decisions either to well-established procedures for resource allocation or to the importance of geographical considerations in apportioning city services. The LBJ School study found a consensual belief that districts had improved service equity in three cities, partial belief to that effect in two other cities, and a verdict of "no change" in one city. Respondents in the two at-large cities differed on the equitability of city services and facilities. There was a tendency in both

studies for the perception of equity to increase most significantly among representatives and residents from low-income areas.

D. Effects on Racial and Other Minorities

As a general rule, the differences between district and at-large electoral systems are minimal. If the ambitious hopes of district advocates have not been met, neither have the worst fears of district opponents. While this conclusion holds across a wide range of areas, there is one notable exception that has been mentioned previously.

Spatially-concentrated minorities, especially blacks, experience substantial changes as a result of district-based elections. The changes flow from the much increased probability of electing a black to office once the bulk of black voters are concentrated in a single member district. The black council member may be able to determine the fate of legislation that has an important impact upon his/her constituents (Karnig and Welch, 1980, chs. 5-7; Button and Scher, 1984, pp. 201-210). S/he may serve as a conduit through which information about city policies is transmitted to the black community and the grievances and concerns of that community are simultaneously communicated to public officials. Direct black representation may increase as other blacks adopt a black council member as a role model and seek out public office. Through the power of appointment and recommendation, black representation may then spread to other boards and commissions and even to appointments in city offices (LBJ School, 1984, p. 40). The net effect of such changes appears to be greater confidence in the responsiveness of local government and satisfaction with the services and facilities maintained by public authorities. The authors of the LBJ School study provided a conclusion that strongly echoed what the Charter Review Committee heard from Professor Button:

Among respondents in the single-member-district cities studied, most agree that minority interests are better represented under the new

system than under the old. In general, members of minority groups feel assured that their interests will be pursued because there is one councilmember (sic) who is directly responsible for representing the interests of each geographic area; therefore, many members of minority groups (as well as members of some other groups) feel better able to raise issues through their district councilmembers. In many cases, nonminority respondents agree that minority interests are better represented under district systems than under at-large systems (1984, p. 40).

The authors further note that many nonminority observers, who had been skeptical that minority interests would indeed be better-served under district systems, change their minds once districts are actually implemented. Supporting evidence for this proposition can be gleaned from interviews with "knowledgeable white officials" in four Florida communities where blacks first attained elective municipal office in the 1970s (Button, 1982). A third of the whites interviewed (and half of those in minority black communities) told the interviewers that having black officials had improved race relations in their community.

Can minority interests and needs be served effectively by representatives from other areas of the city?(12) Sometimes the movement toward districts is interpreted as an implicit repudiation of at-large council members for failing to respond sensitively to minority communities. The studies reviewed above indicate that the positive consequences of districting for the black community arise in ways that cast no aspersion upon pre-district council members.

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(12) The question also arises when members of minority groups are elected by citywide electorates. A biracial electoral coalition places constraints upon the range of issues that black representatives can address and their sense of freedom to pursue the interests of black constituents. See Wald and Southerland (1983) on the constituency-based differences in attitude and behavior among black officials.

As one district advocate told Heilig and Mundt (1984, p. 152), for minorities "simply being on the council is a resource." Professor Button helped explain that statement when he observed that the minority representative, by virtue of his/her membership in that community, is better-placed than other representatives to fulfill what has been called the "ombudsman" function. Whatever the intentions of nonminority representatives, minority constituents may be reluctant to approach them for assistance but much more willing to seek out someone who is presumed to have shared their social and economic circumstances. Similarly, the minority representative, by participating actively in the life of the community, will have better access to important networks that serve to form and transmit public opinion. Even if it is difficult to trace concrete changes to the adoption of district plans, it appears that such systems engender more positive feelings toward local government by those citizens who depend upon it for important services and facilities.

4. DISTRICT PLANS FOR GAINESVILLE

Legal authority for drawing district boundaries rests with the City Commission and would be implemented by ordinance following approval of a charter revision. To get some sense of what kinds of districts are likely to be considered, the Charter Review Committee directed the consultant to prepare three possible district plans. The following were developed and are presented in this report:

PLAN 3A - three single member districts and two at-large seats for the current city boundaries

PLAN 4A - four single member districts and three at-large seats for the current city boundaries

PLAN 4B - four single member districts and three at-large seats for the city as enlarged under the "Phase 1" annexation plan (City/County Annexation Task Force, 1986)

The boundaries were drawn to conform to the applicable mandates from Congress and the federal court system. There are two sets of standards that should govern the process of drawing district boundaries for municipal elections (Neighbor, 1980, pp. 31-50). The first, the paramount mandate from Congress and the courts, is to exhibit sensitivity to the interests of racial minority groups. The second set of conditions refers to other characteristics of a good district plan: population equality, compactness, contiguity, and respect for existing political boundaries and communities of interest.(13)

The first mandate stems from the 1982 amendments to the Voting Rights Act which directed municipalities to practice what has been called "race conscious fairness" or "affirmative districting" in the design of district boundaries. By such phrases, Congress meant that district plans should be "sufficient to

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(13) District plans may also take account of existing relationships between legislators and constituents. Because this plan creates new seats and does not have an immediate impact upon incumbent commissioners, the additional standard is not deemed relevant.

overcome the effects of past discrimination and racial bloc voting" (quoted in Blacksher, 1985, p. 354). To determine if a district plan meets these strictures, observers must assess the degree to which it "avoids packing or fragmenting geographically-concentrated minority populations and provides them a reasonable and fair opportunity to elect candidates of their choice, to the extent possible consistent with accepted redistricting principles" (Blacksher, 1985, p. 354). In practice, the courts have suggested as a rule of thumb that boundaries should be drawn to produce districts with a minority population share of 65%. That figure can be adjusted upward or downward depending on such factors as the quality of available data, the history of black political mobilization, and the level of racial bloc voting in the municipality.

Of the "other" requirements for districting, there is comparable specificity only on the population equality standard. For the purposes of judging population equity, municipalities are subject to the same standards as state legislatures. Equity is measured by taking the sum of the largest positive and negative deviations from the "ideal" district population. The baseline is determined by dividing the total population by the number of districts. Once this figure has been calculated, each district is compared to it and the percentage deviation (positive or negative) recorded (Neighbor, 1980, p. 31). Thus, if the largest positive deviation is 3.5% and the largest negative deviation is 4.0%, summing the two figures (and ignoring the signs) would produce a total deviation of 7.5%. Using that procedure, the courts have generally accepted plans with a total deviation of 10% or less as compatible with the one person, one vote standard. No comparable standards have been widely accepted to measure the degree of compactness, contiguity or respect for legal or social boundaries.

Particularly, in jurisdictions with a history of racial discrimination, the courts have given strong guidance that race-conscious fairness is the single

most important standard to follow in drawing district boundaries. To the extent that other standards come in conflict with the goal of maximizing opportunities for minority representation, those responsible for apportionment are enjoined to accord the highest priority to enhancing minority representation. Thus, federal courts have accepted population deviations as large as 17% if they are necessary to secure other legitimate objectives--such as providing for minority representation (Carpenter, 1986).

Consistent with these mandates, the principal standard that has driven the process of district design has been the goal of maximizing minority representation by concentrating black citizens and voters in a single district. Because of the geographical distribution of the black population, its population share (approximately 21%) and agreement that the commission should not exceed seven members, it is not feasible to produce any more than one district where blacks constitute a majority or near-majority of the electorate. The three plans thus aimed at capturing the largest possible share of the black population within the boundaries of one single-member-district. Subject to that constraint, the plans were also designed to equalize population across the single member districts, to provide reasonably compact and contiguous districts, and, where feasible, to avoid fragmenting "natural" communities of interest. The last-mentioned objective--producing homogeneous election districts--entailed an effort to identify areas of common socioeconomic characteristics as revealed by census data on education, occupation, income, housing values, and the like.

For a variety of practical reasons, the plans use existing city election precincts as the basic building blocks for the single member districts. Though designed principally according to standards of administrative efficiency and convenience, the precincts serve admirably as components of a geographical district. Because precincts are the only geographical unit for which we possess political data--voter registration by race and actual voting patterns--their use

facilitates the goal of race-conscious fairness.(14) Beyond that purpose, precincts offer several distinct advantages over any other possible geographical base:

- (1) Precincts generally follow good districting practices and provide voters with unimpeded access to polling stations.
- (2) Precincts generally follow and respect the boundaries of basic census units, thus serving the goals of district homogeneity.
- (3) Use of existing precincts minimizes disruption and the confusion that could ensue if precincts were divided between commission districts.

Plans 3A and 4A do not disturb any existing precincts. Under Plan 4B, it was necessary to split two precincts but the divisions adhere to established natural and physical boundaries.

In deciding upon district boundaries, there is also a question about what source of data to use to determine the relevant population base.(15) As a rule, the most recent data from the decennial population census is preferred unless it can be demonstrated that (a) the data are so obsolete that usage would seriously undermine accepted districting standards, and (b) there are alternative data that provide a more accurate and reliable basis for apportionment.

Investigation revealed that the 1980 census data should be used in

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(14) In judging election plans, the courts have paid especially close attention to what is called the "operational political majority" in districts--the actual racial distribution of potential voters. Only precinct-based plans can provide solid guidance to the likely political consequences of specific district configurations.

(15) There may be circumstances when it is permissible to use other data to determine the appropriate population base--as when, for example, a large part of the resident population contains non-citizens or when some other measure (perhaps the register of voters) corresponds very closely to the actual population distribution by race. Absent any very strong reason for departing from convention, the plans reported here rely on resident population as enumerated by the decennial census.

determining district boundaries.(16) While the accuracy of the data has undoubtedly eroded since they were collected in 1980, there was no realistic alternative that would satisfy judicial mandates. Both the city and county planning authorities have estimated the current population for planning units (City of Gainesville, 1986a, 1986b). Despite the initial attractiveness of such data, they suffer from a number of disabilities. The geographical units for which such data are available do not correspond well to existing political divisions. Neither do the data attempt to provide racial breakdowns of the population, thus defeating the goal of racial sensitivity. The city and county use different projection methods, raising fundamental questions of comparability. Furthermore, competent demographers can find much to criticize in the assumptions that underly the projection of current population. Taking account of all these factors, the 1980 census data thus appeared as the best source of information on population. The Charter Review Committee envisions that district boundaries will be redrawn every ten years or whenever population is enumerated by the federal census.

The population data (total counts and racial breakdown) were obtained from the 1980 STF1 tape file distributed by the Bureau of the Census. The City Planning Office aggregated the block-level data to correspond to Neighborhood Statistical Areas and presented the data to the Charter Review Committee in a memorandum dated October 21, 1986 (Hilliard, 1986). Where it became necessary to disaggregate the data into blocks, the consultant relied on the block statistics maps prepared by the Census Bureau (Bureau of the Census, nd) and the block-level statistics distributed on microfiche for the Gainesville SMSA

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(16) Aside from obsolescence due to the passage of time and attendant change, the original census data themselves may contain enumeration errors and may undercount citizens in poorer and more mobile sections of the community. Of course, the same problems are likely to afflict any other data set.

(Bureau of the Census, 1982). The area to be included under the Phase 1 annexation was mapped by the Planning Office and a list of corresponding census block groups was prepared for the use of the consultant.

All electoral data were supplied by the Election Supervisor for Alachua County, J. K. "Buddy" Irby. The materials consulted included maps of current city and county precinct boundaries, a printout of registered voters by race for city precincts, and copies of official election results by precinct for elections in Alachua County from 1980 through 1986.(17)

In describing the demography of the districts, racial classifications are based on self-reports. Following the convention of reapportionment law, persons designating themselves as "other" were combined with those who selected the "white" label. Both in population and registration data, the "other" category constituted a very small share of the totals and would not have materially affected the results had persons of that classification been treated differently.

Before presenting the details of the three plans that were prepared for the Charter Review Committee, some general comparisons are in order. The plans share several characteristics. All three provide for a mixture of single-member districts with at-large seats such that district-based representatives will constitute a majority of the commission (3 to 2 under Plan 3A, 4 to 3 under Plans 4A and 4B). Under each of the plans, the black voters are concentrated in a single district and the remaining districts are composed predominantly of white voters. Under all three plans, each registered voter will have a voice in selecting a commission majority. If Plan 3A is implemented, the city resident will be able to cast one vote for his/her district representative plus votes for

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(17) In the description of district plans, the registered voter count was accurate as of November 12, 1986. The one exception was the calculation of new voters for District 4B-1 which relied on vote counts from December 5, 1986.

the two at-large commissioners, making a total of three votes for a five-person commission. The other plans confer upon each citizen a vote for one district representative and votes for the three at-large commissioners, making a total of four votes for a seven-person commission. The implementation schedule drawn up by the Committee phases each plan in to full operation by 1990, schedules the election for the predominantly minority district as soon as possible (March, 1988), allows each sitting commission member to complete the full term to which he/she was elected, and continues to respect the three-year term of office established under the existing charter.

Apart from boundaries, the principal differences between the plans concern the size of the City Commission. If the city retains its present boundaries or expands slowly via incremental annexation, it will be possible under either plans 3A or 4A to maintain a district with a high probability of electing a black representative. However, if the city proceeds to add the "Phase 1" annexation area or any other large urbanized area on the fringe of the current borders, then the four-district plan is a choice by necessity.(18)

Assuming that annexation proceeds slowly and gradually, there are several trade-offs to consider in choosing between the three and four district plans:

- (1) Under the three district plan, a representative from the black majority district would face an electorate with a somewhat higher proportion of white registrants but would also command a larger voice in commission votes (1 of 5 rather than 1 of 7). (Analysis of previous election results in the relevant precincts indicates that the predominantly black district under all plans would be very likely to elect a black representative.)

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(18) Ninety percent of the 18,585 residents in the proposed "Phase 1" annexation areas are white. The increase in district population required under the one-person, one-vote would necessarily make all three districts majority white.

- (2) The five seat plan (3A) produces the fewest changes in city government and might thus be the object of less criticism than the seven seat plan. On the other hand, if natural population growth or annexation were to produce a higher white share of the population, it might be necessary to move to a seven seat plan as early as 1992.
- (3) The five seat plan produces a higher ratio of constituents per commissioner and a greater workload for each member of the commission. The seven seat plan spreads out the workload but at the possible price of increasing conflict by the addition of two voices.
- A full description of the three plans is included in the appendix.

5. LIST OF REFERENCES

- Blacksher, James U. 1985. "Drawing Single-Member Districts to Comply with the Voting Rights Amendments of 1982." Urban Lawyer. 17:3 (Summer): 347-369.
- Bledsoe, Timothy. 1986. "A Research Note on the Impact of District/At-Large Elections on Black Political Efficacy." Urban Affairs Quarterly. 22:1 (September): 166-174.
- Bledsoe, Timothy and Susan Welsh. 1985. "The Effect of Political Structures on the Socioeconomic Characteristics of Urban City Council Members." American Politics Quarterly. 13:4 (October): 467-484.
- Bureau of the Census, U.S. Department of Commerce. 1982. 1980 Census of Population and Housing. Block Statistics. (PHC80-1-167) Gainesville, Fla. Standard Metropolitan Statistical Area. (Microfiche C3.224/5:PHC80-1-167) Washington, DC: Government Printing Office.
- Bureau of the Census, U.S. Department of Commerce. N.D. 1980 Census of Population and Housing. (PHC80-1-167) Block Statistics Maps. Gainesville, Fla. Standard Metropolitan Statistical Area. Washington, DC: Government Printing Office.
- Button, James W. 1982. "Southern Black Elected Officials: Impact on Socioeconomic Change." Review of Black Political Economy. 12:1 (Fall): 29-45.
- Button, James W. and Richard K. Scher. 1984. "The Election and Impact of Black Officials in the South." In Harrell Rodgers, ed., Public Policy and Social Institutions. Greenwich, CT: JAI Press: 183-218.
- Carpenter, Jan. 1986. "1980 Reapportionment Update." Draft Summary of 1980 Congressional and Reapportionment Case Law prepared by the National Conference of State Legislatures, Denver, CO, July 23, 1986.
- City-County Annexation Task Force. 1986. "Interim Report on Structure of Service Delivery System to Accomodate Major Annexation." Report prepared for presentation to the Intergovernmental Relations Committee, November 14, 1986.
- City of Gainesville. Department of Community Development. 1986a. "1986 Population Estimate." 14 October.
- City of Gainesville. Department of Planning. 1986b. "Phase 1 Population." 5 December.
- City of Mobile, Alabama v. Bolden. 1980. 446 U.S. 55.
- Davidson, Chandler. 1984. "Minority Vote Dilution: An Overview." Chapter 1 in Minority Vote Dilution, ed. Chandler Davidson. Washington, DC: Howard University Press: 1-26.
- Davidson, Chandler and George Korbel. 1984. "At-Large Elections and Minority Group Representation: A Re-examination of Historical and Contemporary Evidence." Chapter 2 in Minority Vote Dilution, ed. Chandler Davidson.

- Washington, DC: Howard University Press: 27-46.
- Dorfner, Armand. 1984. "Vote Dilution and the Voting Rights Act Amendments of 1982." Chapter 7 in Minority Vote Dilution, ed. Chandler Davidson. Washington, DC: Howard University Press: 145-166.
- Engstrom, Richard L. and Michael D. McDonald. 1985. "Quantitative Evidence in Vote Dilution Litigation: Political Participation and Polarized Voting." Urban Lawyer. 17:3 (Summer): 369-377.
- Hays, Samuel P. 1964. "The Politics of Reform in Municipal Government in the Progressive Era." Pacific Northwest Quarterly. 55:4 (October): 157-169.
- Heilig, Peggy and Robert J. Mundt. 1984. Your Voice at City Hall: The Politics, Procedures and Policies of District Representation. Albany: State University of New York Press.
- Hilliard, Ralph. 1986. "Single Member District Information." Memorandum prepared for the Charter Review Committee, October 21, 1986.
- Jacobs, Paul W., II, and Timothy G. O'Rourke. 1986. "Racial Polarization in Vote Dilution Cases Under Section 2 of the Voting Rights Act: The Impact of Thornburg v. Gingles." Journal of Law and Politics. 3:2 (Fall): 295-353.
- Jewell, Malcolm E. 1982. "The Consequences of Single- and Multimember Districting." Chapter 13 in Representation and Redistricting Issues, ed. Bernard Grofman, Arend Lijphart, Robert B. McKay and Howard A. Scarrow. Lexington, MA: Lexington Books: 129-136.
- Karnig, Albert and Susan Welch. 1980. Black Representation and Urban Policy. Chicago: University of Chicago Press.
- Lyndon B. Johnson School of Public Affairs. 1984. Local Government Election Systems. Policy Research Project Report #62. Austin: University of Texas.
- MacManus, Susan A. and Charles S. Bullock III. 1985. "Racial Representation Issues: The Role of Experts in Determining Dilution of Minority Influence." PS. 18:4 (Fall): 759-769.
- Matthews, Donald R. and James W. Prothro. 1966. Negroes and the New Southern Politics. New York: Harcourt, Brace and World.
- Neighbor, Howard D. 1980. City Council Districting in the 1980s. New York, NY: Citizens Forum on Self-Government/National Municipal League.
- Parker, Frank R. 1984. "Racial Gerrymandering and Legislative Reapportionment." Chapter 5 in Minority Vote Dilution, ed. Chandler Davidson. Washington, DC: Howard University Press: 85-144.
- Parker, Frank R. 1983. "The 'Results' Test of Section 2 of the Voting Rights Act: Abandoning the Intent Standard." Virginia Law Review. 69:4 (May): 715-764.
- Pieper, Don. 1985. "Results of the Results Test: The Impact of the 1982 Amendments to Section 2 of the Voting Rights Act in Dilution Suits." Journal

of Law and Politics. 2:2 (Fall): 341-368.

Reh fuss, John. 1972. "Are At-Large Elections Best for Council-Manager Cities?" National Civic Review. 61:5 (May): 236-241.

Rogers v. Lodge. 1982. 458 U.S. 613.

Stekler, Paul Jeffrey. 1985. "Electing Blacks to Office in the South--Black Candidates, Bloc Voting and Racial Unity Twenty Years After the Voting Rights Act." Urban Lawyer. 17:3 (Summer): 473-488.

Thornburg v. Gingles. 1986. 106 S.Ct. 2752.

U. S. Congress. 1982. Voting Rights Act Amendments of 1982. 97th Cong., 2nd sess., 1982. Public Law 97-205. (Codified at 42 U.S.C., S. 1973 (1982)).

Wald, Kenneth D. and Carole B. Southerland. 1982. "Black Public Officials and the Dynamics of Representation." Chapter 12 in Contemporary Southern Political Attitudes and Behavior, ed. Laurence W. Moreland, Tod A. Baker and Robert P. Steed. New York, NY: Praeger: 239-253.

APPENDIX I

This appendix describes the district configurations proposed to the Charter Review Committee. It should be emphasized that the actual adoption of districts will be accomplished by ordinance if the charter revision proves successful in a citywide referendum. For a discussion of the constraints which district plans must satisfy, see section 4 (above) of this report.

In describing the operational political majority under each plan, I have used actual election returns from all commission elections with black candidates during the 1980s and the most recent county election with a black candidate. It is not possible to know whether the same voting patterns would have been replicated had district lines been in force when voters went to the polls.

Under all three plans, the Charter Review Committee has recommended that the district labeled as "1" in this report be the first to be phased in. For plans 3A and 4A, the subsequent order of phase-in has not been discussed. Under plan 4B, the districts should be phased in according to number. This would provide for the speediest possible representation of the newly-annexed areas. It should be noted that the district numbers on the implementation schedule in the proposed ordinance do not correspond to the district labels contained within this report.

1. PLAN 3A (three districts, two at-large seats, present city boundaries)

DISTRICT 3-1

PHYSICAL DESCRIPTION:

District 3-1, which comprises most of Gainesville east of Main Street, is defined by voting precincts 13, 16, 19, 25, 28, 29, 33, and 39. It corresponds to the following census neighborhoods: 1 (part), 2, 3, 5 (pt), 6, 14, 15 (pt), 16, 17, 18 (pt), 22, 23, 24, 25, and 26.

DEMOGRAPHIC DESCRIPTION:

The population of this area in 1980 was 27,152 of whom 13,211 were non-black (48.7%) and the remaining 13,941 were black (51.4%). The district contains 83% of the black population enumerated in the 1980 census and 88% of the black population that resides outside the boundaries of the University of Florida. In terms of income, housing values, educational levels and other indicators of socioeconomic standing, it ranks significantly below the other two districts.

POLITICAL DESCRIPTION:

There are currently 8471 registered voters in District 3-1 of whom 4463 (52.7%) are non-black and 4008 (47.3%) are black. The black voters constitute 79% of all registered blacks in Gainesville and 83% of those blacks residing outside the University precinct.

Based on recent election results, black candidates can win solid election victories in this proposed district. In the 1986 election for county court judge (group 3), Diane McPherson actually received 42% of the vote in the primary and 45% in the run-off. In just the precincts included in 3-1, she received 51% of the primary vote (compared to 22% for Horace Moore and 27% for Frederick Smith) and 68% of the run-off vote. Other black candidates for city and county-wide offices have done as follows in the precincts that make up 3-1: Earl Young (1985 City Commission, position 2) 56% vs. 35% citywide; Ed Jennings (1983 City Commission, position 1) 36% vs. 12%; Aaron Young (1981 City Commission, position 1, primary) 44% vs. 30%; Aaron Young (1981 City Commission, position 1, run-off) 66% vs. 47%.

RATIO OF ACTUAL TO IDEAL POPULATION:

27,152 / 27,124 = 1.0011

Deviation = + .0011

DISTRICT 3-2

PHYSICAL DESCRIPTION:

Distict 3-2 contains most of the northwest quadrant of Gainesville plus the "Duck Pond" area bounded by NE 16th Ave., Waldo Road, University Avenue and Main Street. It is defined by voting precincts 5, 7, 12, 17, 21, 27, 37, and 38 and contains census neighborhoods 1 (pt), 4, 5 (pt), 9, 10, 11, 12, 13, 15 (pt), 20 (pt), 31 (pt), 32 (pt), 33, 34, 35, 36, 37, 38, and 39.

DEMOGRAPHIC DESCRIPTION:

The population of this area in 1980 was 26,637, consisting of 25,109 non-black residents and 1528 black residents.

POLITICAL DESCRIPTION:

There are currently 15,798 registered voters in the district with 15204 (96%) non-black and 594 (4%) black. The black voters constitute about 12% of all registered blacks in Gainesville. Diana McPherson would have earned 44% of the district's vote in her primary election and 43% in the runoff for county judge. Earl Young would have gained 28% of the vote in the 1985 general election and 36% in the runoff.

RATIO OF ACTUAL TO IDEAL POPULATION:

$$26,637 / 27,124 = .9820$$

$$\text{Deviation} = - .0180$$

DISTRICT 3-3

PHYSICAL DESCRIPTION:

District 3-1 contains most of southwest Gainesville, including the University of Florida campus, and includes the northwest section bounded roughly by NW 23rd Avenue, NW 23rd Street, the southern and western city limits. The district is defined by voting precincts 4, 23, 24, 26, 31, and 40 and contains the following census neighborhoods: 7, 8, 18 (pt), 19, 20 (pt), 21, 27, 28, 29, 30, 31 (pt), 32 (pt).

DEMOGRAPHIC DESCRIPTION

The population of this area in 1980 was 27,582 with 26,266 non-blacks and 1316 black residents.

POLITICAL DESCRIPTION:

There are currently 11,145 registered voters in the district, of whom 10,661 (96%) are white and 484 (4%) are black. Given the racial composition of the district, a black candidate could win only if s/he carried a solid majority of the white vote. Diana McPherson nearly did so in her 1986 runoff, earning 47% of the total vote in this district.

RATIO OF ACTUAL TO IDEAL POPULATION:

$27,582 / 27,124 = 1.0169$

Deviation = + .0169

2. PLAN 4A (three districts, four at-large, current city)

DISTRICT 4A-1

PHYSICAL DESCRIPTION:

District 4A-1, which comprises most of southeast Gainesville, is defined by voting precincts 13, 16, 19, 25, and 28. It corresponds to the following census neighborhoods: 1 (part), 2, 3, 5 (pt), 6, 15 (pt), 16, 17, 18 (pt), 23, 24, 25, and 26.

DEMOGRAPHIC DESCRIPTION:

The population of this area in 1980 was 20,282, of which 7243 were non-black (35.7%) and the remaining 13,039 were black (64.3%). The district contains 78% of the black population enumerated in the 1980 census. In terms of income, housing values, educational levels and other indicators of socioeconomic standing, it ranks significantly below the other three districts.

POLITICAL DESCRIPTION:

There are currently 5756 registered voters in District 3-1 of whom 2174 (37.8%) are non-black and 3582 (62.2%) are black. The black voters constitute 70.4% of all registered blacks in Gainesville.

Based on recent election results, black candidates can win solid election victories in this proposed district. In the 1986 election for county court judge (group 3), Diane McPherson actually received 42% of the (city) vote in the primary. In just the precincts included in 4A-1, she received 55% of the primary vote (compared to 29% for Horace Moore and 16% for Frederick Smith) and 80% of the run-off vote. Other black candidates for city and county-wide offices have done as follows in the precincts that make up 4A-1: Earl Young (1985 City Commission, position 2) 75% vs. 35% citywide; Ed Jennings (1983 City Commission, position 1) 53% vs. 12%; Aaron Young (1981 City Commission, position 1, primary) 56% vs. 30%; Aaron Young (1981 City Commission, position 1, run-off) 83% vs. 47%.

RATIO OF ACTUAL TO IDEAL POPULATION:

$$20,282 / 20,343 = 0.9970$$

$$\text{Deviation} = - .00299$$

DISTRICT 4A-2

PHYSICAL DESCRIPTION:

District 4A-2 contains most of the northeast quadrant of Gainesville. It is defined by voting precincts 7, 12, 27, 29, 33, 38, and 39. and contains census neighborhoods 1 (pt), 4, 5 (pt), 12, 13, 14, 15 (pt), 22, 23 (pt), 35, 36, 37 (pt.), and 39.

DEMOGRAPHIC DESCRIPTION:

The population of this area in 1980 was 20,250 consisting of 18,276 non-black residents and 1974 black residents.

POLITICAL DESCRIPTION:

There are currently 9760 registered voters in the district with 8937 (92%) non-black and 823 (8%) black. The black voters constitute about 16% of all registered blacks in Gainesville. A black candidate who carried the black vote unanimously would thus have to win a solid majority of the white vote to carry District 4A-2.

RATIO OF ACTUAL TO IDEAL POPULATION:

$$20,250 / 20,343 = .9954$$

$$\text{Deviation} = - .0046$$

DISTRICT 4A-3

PHYSICAL DESCRIPTION:

District 4A-3 contains most of northwest Gainesville. The district comprises voting precincts 17, 21, 24, 26, 37, and 40 and census neighborhoods 11, 20 (part), 21 (part), 27, 28 (part), 29, 30, 31, 32, 33, 34, 37 (part), and 38.

DEMOGRAPHIC DESCRIPTION:

The total 1980 census population of 20,097 was divided between 19,682 (98%) non-blacks and 415 (2%) black. This is an affluent, predominantly middle-class district with high levels of education, housing values, and income.

POLITICAL DESCRIPTION:

Of the 11,957 registered voters who currently reside within District 4A-3, 11,763 (or 98%) are non-black, leaving the remainder of 194 blacks (1.6%). Given this ratio, a black candidate could win only by carrying a majority of the white vote.

RATIO OF ACTUAL TO IDEAL POPULATION:

$$20,097 / 20,343 = 0.9879$$

$$\text{Deviation} = -.0121$$

DISTRICT 4A-4

PHYSICAL DESCRIPTION:

District 4A-4 contains most of southwest Gainesville, including the University of Florida campus, and includes the northwest section commonly designated as the J. J. Finley area. The district is defined by voting precincts 4, 5, 23, and 31 and contains the following census neighborhoods: 7, 8, 9, 10, 18 (pt), 19, 20 (pt), 28 (pt.), 29, 30, 31 (pt), and 32 (pt).

DEMOGRAPHIC DESCRIPTION

The population of this area in 1980 was 20,742 with 19,385 non-blacks (93.5%) and 1357 (6.5%) black residents.

POLITICAL DESCRIPTION:

There are currently 7941 registered voters in the district, of whom 7454 (94%) are non-black and 487 (6%) are black. Given the racial composition of the district, a black candidate could win only if s/he carried a solid majority of the white vote.

RATIO OF ACTUAL TO IDEAL POPULATION:

$$20,742 / 20,343 = 1.0196$$

$$\text{Deviation} = + .0196$$

3. PLAN 4B (four districts, three at-large, expanded city)(19)

DISTRICT 4B-1

PHYSICAL DESCRIPTION:

District 4B-1 includes most of the southeast section of the current city plus some of the easternmost and southern sections of the Phase 1 annexation area. It includes the whole of city precincts 13, 16, 25, and 28, plus the part of precinct 19 south of SW 6th Avenue. It also includes the non-city area of precinct 28 and the parts of county precinct 30 included in census tracts 14 (block groups 1, 2, and 9); 6 (block group 5); and 7 (block groups 4 and 5).

DEMOGRAPHIC DESCRIPTION:

The 1980 population in the proposed district is 24,789 with 10,807 or 44% white and 13,982 or 56% black. This district would include approximately 75% of the black population in the expanded city limits.

POLITICAL DESCRIPTION:

Because the Phase 1 annexation area crosses city precinct boundaries and forces the division of one city precinct, it is impossible to provide precise voting statistics for this district. For the precincts wholly included in District 4B-1 (13, 16, 25, 28 (city and county), there are a total of 5345 registered voters, of whom 1865 (35%) are white and 3480 (65%) are black. If all of county precinct 30 were included in the annexation area (which it is not), the addition of registered voters would shift the composition to approximately 45% white and 55% black. The further addition of city precinct 19 would slightly alter this balance by encompassing a total of 7815 registered voters, 3602 (46%) white and 4213 (54%) black. As the part of precinct 19 that would be outside District 4B-1 was almost entirely composed of white residents according to 1980 census block data, it is probable that this district would be no less than 54% black in terms of registered voters and probably closer to a 60% minority share.(20)

A similar uncertainty surrounds the simulation of elections in District 4B-1. Using the 1986 McPherson-Smith race and including precincts 19 and 30 in the totals produces a vote division of 73% for McPherson and 27% for

=====

(19) The official estimate for the 1980 population of the Phase 1 annexation area is 18,585 which would make the population of the enlarged city 99,956 (City of Gainesville, 1986b). However, this does not include one block (202 in tract 8) that the Census Bureau indicates was inhabited by 295 residents in 1980 but the city regards as uninhabited by human beings. Accepting the official Census Bureau count, the annexation area contains 18,880 residents for a total expanded population of 100,251. We have used this figure to set a target district population of 25,063 under Plan 4B.

(20) If the Phase 1 annexation is on the March, 1987 ballot, the Election Supervisor would of necessity have to define the number of registered voters affected. With that data, it would be possible to calculate more exact figures than the district estimate is subsequently provided by the City Commission.

Smith. In the 1982 Democratic primary for a school board position, a black candidate named Dunmore carried 1101 of 2136 votes against Peg Mattress in the six precincts that contribute to District 4B-1. He would thus have carried the primary with 51.5% of the vote against the 28% he actually received countywide. Assuming that these two elections mark the extremes, this district should be safe for a black candidate who commands solid support among black voters.

RATIO OF ACTUAL TO IDEAL POPULATION:

$24,789 / 25,063 = 98.91$

Deviation = - .0109

DISTRICT 4B-2

PHYSICAL DESCRIPTION:

This large district is dominated by the University of Florida and contiguous areas. It contains all of city precincts 4, 23, and 31 plus that part of precinct 19 not included in District 4B-1. It also includes parts of county precincts 30 (tract 7, block groups 3 and 6); 35 (tract 8, block 202); 44 (tract 15, block groups 3 and 4 except for block 423); and 36 (tract 15, blocks in group 3 not otherwise included in precinct 44).

DEMOGRAPHIC DESCRIPTION:

In all, this area contained 24,306 residents in 1980 of whom all but 1648 were non-black. The district contains a mix of university facilities, apartment complexes and neighborhoods with single family dwellings.

POLITICAL DESCRIPTION:

Beyond noting that this district is predominantly white and contains a substantial number of college students, it is impossible to characterize it politically. The inclusion of parts of one city precinct and four county precincts defeats any attempt to identify the number of registered voters.

RATIO OF ACTUAL TO IDEAL POPULATION:

24,306 / 25,063 = 0.9698

Deviation = - .0302

DISTRICT 4B-3

PHYSICAL DESCRIPTION:

This western district comprises city precincts 17, 21, 24, 26, 38, 40, and the part of 37 west of NW 34th Street along with parts of county precincts 36 (tract 15, block groups 1 and 2 and block 423; tract 16, part of block 205); 32 (tract 16, block group 3 and blocks 401 and remainder of 205); and 22 (tract 17, block group 4).

DEMOGRAPHIC DESCRIPTION:

According to the 1980 census, there were 25,822 residents of District 4B-3 of whom all but 860 were non-black. Although the district contains some high-density apartment complexes, it is composed predominantly of single family homes.

POLITICAL DESCRIPTION:

Lack of conformity to precinct boundaries makes it impossible to determine.

RATIO OF ACTUAL TO IDEAL POPULATION:

25,822 / 25,063 = 1.0303

Deviation = + .0303

DISTRICT 4B-4

PHYSICAL DESCRIPTION:

District 4B-4 is wholly located within the current city boundaries and does not take in any of the Phase 1 annexation area. It contains city precincts 5, 7, 12, 27, 29, 33, 38, 39 and the eastern portion of 37 not contained in District 4B-3.

DEMOGRAPHIC DESCRIPTION:

There were 25,334 district residents in 1980 with all but about 2000 of them white.

POLITICAL DESCRIPTION:

See the description of District 4A-2 (above) which, minus precinct 5 and the eastern portion of precinct 37, largely corresponds to this district.

RATIO OF ACTUAL TO IDEAL POPULATION:

$$25,334 / 25,063 = 1.0108$$

$$\text{Deviation} = + .0108$$

COMPARISON OF THREE DISTRICT PLANS

Geographical Area	PLAN 3A current city	PLAN 4A current city	PLAN 4B current city plus Phase 1 annexation
Total Seats on Commission	5	7	7
District	3	4	4
At-large	2	3	3
Maximum Population Deviation	3.5%	3.2%	6.1%
Target Population	27,124	20,343	25,063
Smallest District	26,637	20,097	24,306
Largest District	27,582	20,742	25,822
Percent black of population District 1	51	64	56
Percent black of registered voters, District 1	47	62	60*
Percent of Total Vote earned by selected black candidates			
D. McPherson (1986)**	68	80	73***
Earl Young (1985)	56	75	x
Ed Jennings (1983)	36	53	x
Aaron Young (1981)**	66	83	x

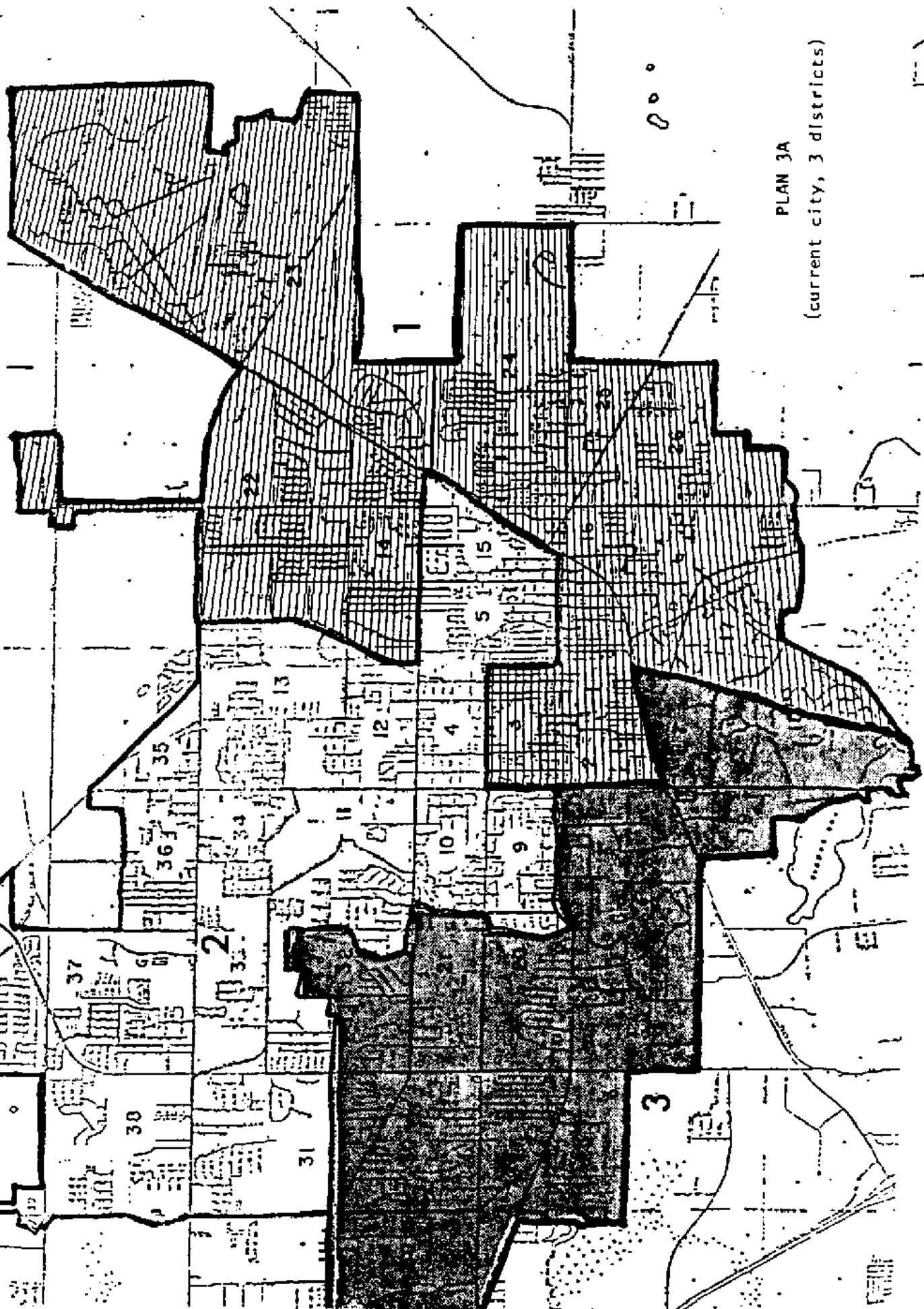
* Due to a split of precincts under this plan, this figure is an estimate.

** Figures are for run-off. Under the three plans, McPherson would have won the primary with a vote share, respectively, of 51%; 55%, and 54% (estimate). Had the district been in place, Aaron Young would have won the primary under 3A with 44% and earned 56% under 4B.

*** Because of the division of county precincts, this figure is an estimate that includes the entire cast vote from county precincts 7 and 30 and the county portion of 28.

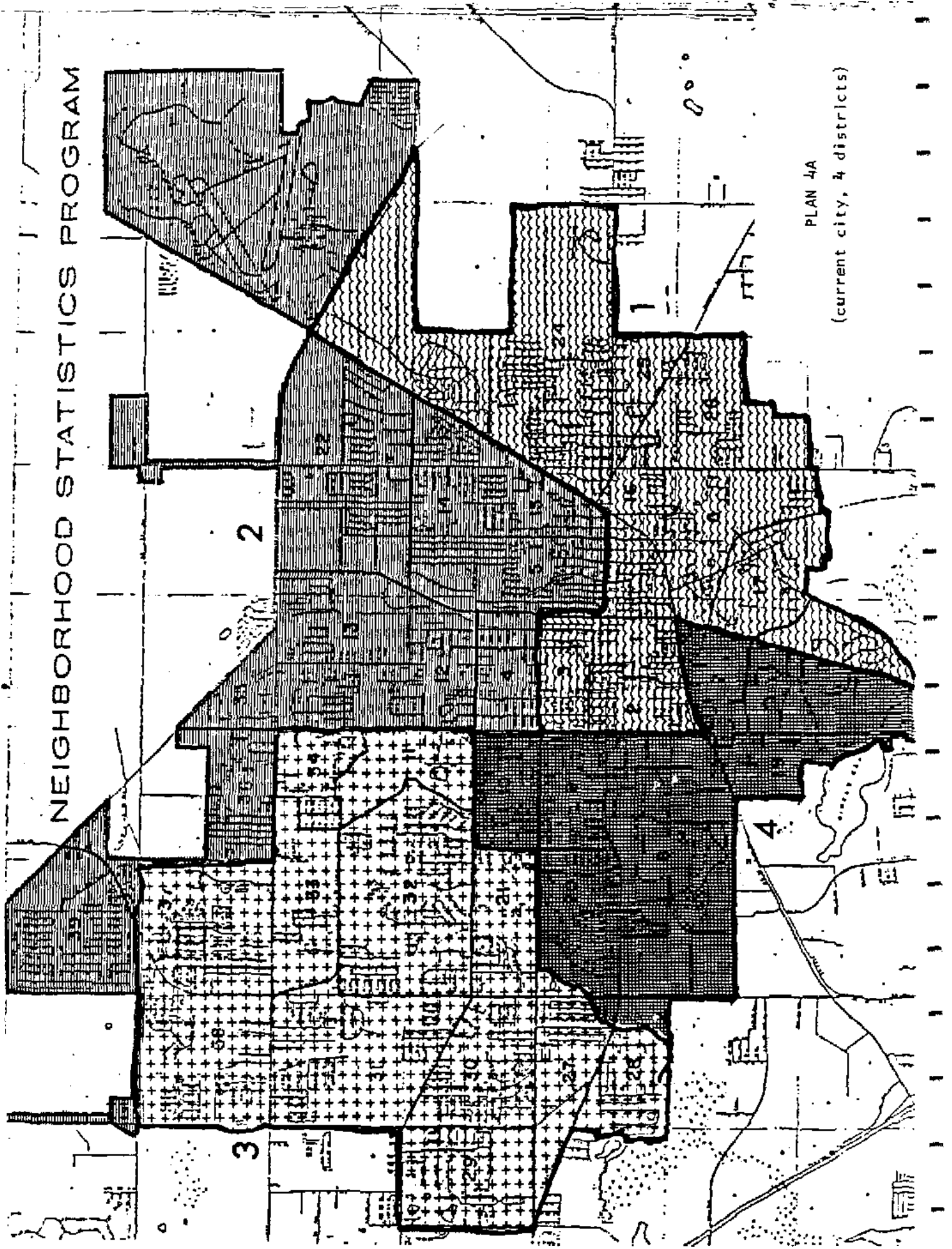
x This cannot be estimated because the county precincts included in Plan 4B did not participate in these elections for City Commission.

NEIGHBORHOOD STATISTICS PROGRAM



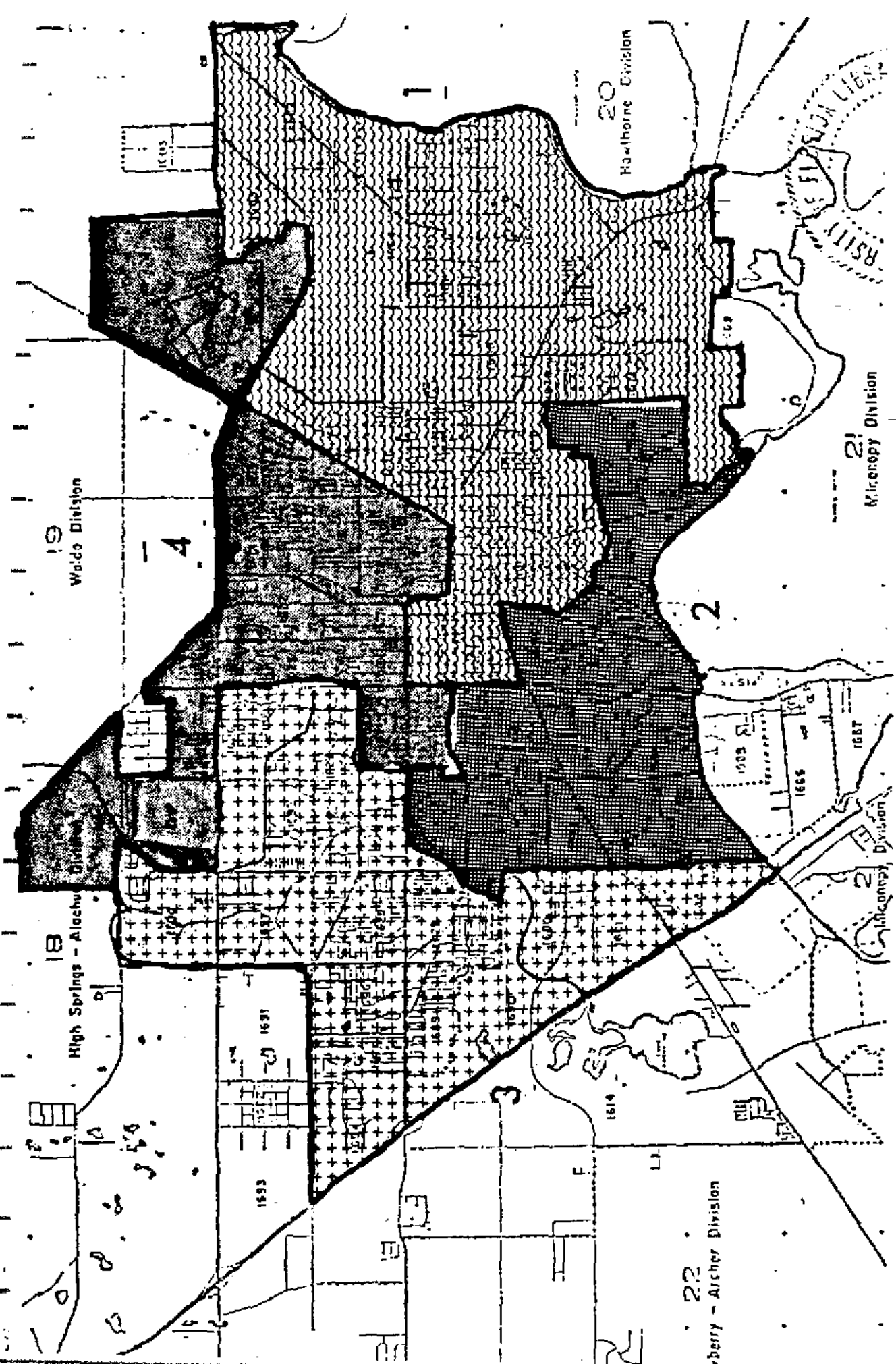
PLAN 3A
(current city, 3 districts)

NEIGHBORHOOD STATISTICS PROGRAM



PLAN 4A

(current city, 4 districts)



PLAN 4B
 (expanded city, 4 districts)

CENSUS TRACTS
GAINESVILLE URBAN AREA

GAINESVILLE, FLORIDA 1970

Census Tract

12

13

Appendix D

ALACHUA COUNTY, FLORIDA
1990 U.S. CENSUS

Precinct	Total Population	Black Population	Total Hispanic Origin
1	2,567	394	20
2	2,686	856	32
3	8,589	2,222	129
4	4,724	270	470
5	3,662	117	176
6	5,171	818	108
7	2,644	461	120
8	3,057	978	37
9	942	1	6
10	2,025	412	23
11	4,925	1,295	81
12	5,496	1,117	211
13	5,266	4,256	56
14	1,368	39	21
15	973	208	12
16	1,886	1,220	50
17	3,156	157	172
18	2,807	460	82
19	2,900	1,159	104
20	5,373	953	112
21	4,618	321	199
22	7,193	443	271
23	6,609	628	463
24	5,028	95	173
25	2,851	533	136
26	3,137	40	130
27	3,677	512	86
28	4,793	4,110	29
29	2,129	546	48
30	4,814	2,144	87
31	7,999	1,057	460
32	2,589	143	146
33	1,287	226	34
34	1,324	97	10
35	1,730	117	38
36	7,226	738	546
37	5,274	227	242
38	6,573	742	305
39	3,078	1,338	83
40	1,751	51	66
41	5,694	1,315	287
42	5,889	532	165
43	4,430	220	190
44	8,003	727	471
45	1,470	49	41
46	2,213	83	51

ALACHUA COUNTY

FLORIDA

Precincts Sorted by Highest Percentage of Blacks

1990 U.S. CENSUS

Precinct	Total Pop	Black Pop	Percent
28	4,793	4,110	86%
13	5,266	4,256	81%
16	1,886	1,220	65%
30	4,814	2,144	45%
39	3,078	1,338	43%
19	2,900	1,159	40%
8	3,057	978	32%
2	2,686	856	32%
11	4,925	1,295	26%
3	8,589	2,222	26%
29	2,129	546	26%
41	5,694	1,315	23%
15	973	208	21%
10	2,025	412	20%
12	5,496	1,117	20%
25	2,851	533	19%
20	5,373	953	18%
33	1,287	226	18%
7	2,644	461	17%
18	2,807	460	16%
6	5,171	818	16%
1	2,567	394	15%
27	3,677	512	14%
31	7,999	1,057	13%
38	6,573	742	11%
36	7,226	738	10%
23	6,609	628	10%
44	8,003	727	9%
42	5,889	532	9%
34	1,324	97	7%
21	4,618	321	7%
35	1,730	117	7%
22	7,193	443	6%
4	4,724	270	6%
32	2,589	143	5%
17	3,156	157	5%
43	4,430	220	5%
37	5,274	227	4%
46	2,213	83	4%
45	1,470	49	3%
5	3,662	117	3%
40	1,751	51	3%
14	1,368	39	3%
24	5,028	95	2%
26	3,137	40	1%
9	942	1	0%

Totals for Seven Highest:

25,794 15,205 59%

Appendix E

BALLOT LANGUAGE

Alachua County Charter Amendment 1: County Commissioners Salary

Shall the County Charter be amended to set the County Commissioners salaries, effective October 1, 1994; based on the Alachua County median household income, as established by the most recent decennial census; with such salary being \$22,967, which shall be adjusted annually effective October 1 based on average salary increases given to County employees and further adjusted following each decennial census to the Alachua County median household income?

Alachua County Charter Amendment 2: Law Enforcement

Shall the County Charter be amended, abolishing the Office of Sheriff; creating a Department of Law Enforcement; with an elected director with powers prescribed in County Resolution 92-___; transferring functions and duties of the Sheriff to the Director and department; transferring Gainesville's law enforcement powers and functions to the Department; effective the first Tuesday following first Monday in January 1997, subject to approval by the electors of the County and electors of Gainesville?

PROPOSITION FOR COUNTY COMMISSIONERS SALARIES

CHARTER AMENDMENT LANGUAGE

Salary Reduction for County Commissioners

Section 2.2(C) of the Alachua County Charter is amended to read:

(C) Salaries and other compensation. Prior to October 1, 1994, salaries and other compensation of the County Commissioners shall be set by county ordinance and shall be the same as those set by general law for the County Commissioners of non-charter counties. Effective October 1, 1994, salaries of the County Commissioners shall be based on the median household income in Alachua County as established by the most recent decennial census. As of October 1, 1994, such salaries shall be Twenty-two Thousand Nine hundred sixty-seven dollars (\$22,967.00). The salaries shall be adjusted annually effective October 1 based on the average salary increases given to County employees and shall be further adjusted following each decennial census to the Alachua County median household income.

PROPOSITION FOR MERGER OF LAW ENFORCEMENT
OF ALACHUA COUNTY AND THE CITY OF GAINESVILLE

LANGUAGE TO AMEND SECTION III
(ELECTED COUNTY CONSTITUTIONAL OFFICES)
OF THE HOME RULE CHARTER

Section 3.1, Elected County Constitutional Offices,
of the Alachua County Charter is amended to read as follows:

Sec. 3.1 Elected county constitutional offices.
The offices of ~~sheriff~~, property appraiser, tax collector, clerk
of the circuit court, and supervisor of elections shall remain as
elected constitutional offices, and the powers, duties, and
functions shall not be altered by this home rule charter. The
constitutional officers shall perform their executive and
administrative functions as specified by law.

A new Section 3.2 is hereby created to read as
follows:

Sec. 3.2 Department of Law Enforcement. The
constitutional office of sheriff is hereby abolished. There is
hereby created the Alachua County Department of Law Enforcement.
All functions and duties prescribed for the office of sheriff
under the Constitution and general laws of the State of Florida
are hereby transferred to the department of law enforcement. The
city of Gainesville police department's powers and functions are
hereby transferred to and shall be performed by the Department of
Law Enforcement. The Department of Law Enforcement shall be
managed by a director elected in a partisan election by the
electors of Alachua County and the term of office shall be four
(4) years. The minimum qualifications for the director shall be
the same as those provided by general law for elected sheriffs in

the State of Florida; the salary of the director shall be the same as that set by general law for sheriffs. The director shall be subject to the state's collective bargaining laws for affected employees; the director shall be subject to recall and removal as provided by general law. The county and the city of Gainesville shall separately appropriate funding to the department of law enforcement. The director shall have no right to appeal the department's budget to the Cabinet of the State of Florida. All resources (i.e., buildings, equipment, etc.) of the former Gainesville police department and the former Alachua County Sheriff's Office shall be transferred to the department of law enforcement. The director shall have the authority to negotiate and enter into separate contracts with other municipalities within Alachua County for provision of law enforcement services. On the effective date of this amendment, all employees of the former Alachua County sheriff's office and employees of the Gainesville police department shall become employees of the department of law enforcement without any loss of benefits. Salaries of all such employees shall be continued at the same level as of the effective date of this amendment. The abolishment of the Constitutional Office of Sheriff and the merger of the Alachua County Sheriff's Office and the city of Gainesville Police Department and the provisions of this section shall become effective on the first Tuesday following the first Monday in January 1997 subject to approval by the electors of the County and by the electors of the City of Gainesville. The Director of Law Enforcement shall be elected in the 1996 general election. The Sheriff shall serve until the director of law enforcement takes office on the first Tuesday following the first Monday in January 1997.