



City of North Port

ORDINANCE NO. 2022-04

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, ADOPTING A REDISTRICTING PLAN FOR THE CITY'S FIVE CITY COMMISSION DISTRICTS IN ACCORDANCE WITH SECTION 2.02 OF THE CHARTER OF THE CITY OF NORTH PORT; AMENDING SECTIONS 2-2 AND 2-3 OF THE CODE OF THE CITY OF NORTH PORT, FLORIDA TO PROVIDE FOR THE APPROVED REDISTRICTING MAP AND LEGAL DESCRIPTIONS; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 6, 2012, City of North Port electors approved dividing the City into five City Commission districts; and

WHEREAS, following the regulations in effect at the time, on December 15, 2014, the City Commission adopted Ordinance No. 2014-41, approving a districting plan and districting map for the City; and

WHEREAS, on December 14, 2015, the City Commission adopted Ordinance No. 2015-51, incorporating the districting map and legal descriptions of each of the five City Commission districts into Chapter 2, Article I of the Code of the City of North Port, Florida ("City Code"); and

WHEREAS, on November 6, 2018, the City's electors approved amendments to the City Charter; and

WHEREAS, included within the amended City Charter is Section 2.02, entitled "Districting and Redistricting Plans"; and

WHEREAS, City Charter Section 2.02 requires the City Commission to approve a redistricting plan by ordinance no later than 10 months (300 days) following each decennial census published results if the results show a substantial change in population from the existing districting plan; and

WHEREAS, City Charter Section 2.02(b)(2) and (3) requires each district to be based on the principle of equal effective representation and to be as equal in population as possible, with no more than a five percent (5%) deviation in population among the districts; and

WHEREAS, on August 12, 2021, the United States Census Bureau published the 2020 Census data which indicated the City's current district population distribution is over the maximum deviation allowed by the City Charter; and

WHEREAS, City Charter Section 2.20(d)1 requires proposed redistricting plans to be made available for public inspection and comment not less than one month before the first public hearing on the plans and that each plan include both a map and description of the recommended district boundaries; and

WHEREAS, on November 29, 2021, the City posted maps for redistricting plans A and B to the City's website for public inspection and comment, and made printed copies available in the City Clerk's Office; and

WHEREAS, on December 22, 2021, the City posted a map for redistricting plan C to the City's website for public inspection and comment, and made printed copies available in the City Clerk's Office; and

WHEREAS, on January 25, 2022, the City posted legal descriptions for redistricting Plans A, B, and C to the City's website for public inspection and comment, and made printed copies available in the City Clerk's Office; and

WHEREAS, on March 8, 2022, the City Commission held a public hearing and received public comment on the proposed redistricting plans; and

WHEREAS, City Code Sections 2-2 and 2-3 identify the official map and legal descriptions for the City Commission districts; and

WHEREAS, City Charter Section 2.02(d)4 provides that any redistricting plan will take effect for any election held at least one year following final plan approval; and

WHEREAS, the City Commission finds that the approving a redistricting plan in accordance with the City Charter serves the public welfare of the citizens of the City of North Port, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:

SECTION 1 – FINDINGS

- 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.
- 1.02 The City Commission finds that North Port Redistricting Plan C establishes five City Commission districts that meet the following specifications:
 - a. Each district is formed of a compact, contiguous territory;
 - b. Each district is based on the principle of equal effective representation as required by the United States Constitution; and
 - c. Each district is as equal in population as possible, with no more than a five percent (5%) deviation in population based on average population among the districts.
- 1.03 All identified exhibits are incorporated in this ordinance by reference.

SECTION 2 – REDISTRICTING REPORT AND PLAN ADOPTION

- 2.01 On March 21, 2022, ARCBridge Consulting & Training, Inc. prepared its *Redistricting Report* for the City of North Port.
- 2.02 The City Commission approves and adopts the *Redistricting Report*, attached as “Exhibit A.”
- 2.03 The City Commission adopts North Port Redistricting Plan C, including the district map attached as “Exhibit B” and the legal descriptions of the boundaries of the five City Commission districts attached as “Exhibit C.”

SECTION 3 – AMENDMENTS TO THE CODE OF THE CITY OF NORTH PORT, FLORIDA

- 3.01 Section 2-2 of the Code of the City of North Port, Florida is hereby amended as follows:

“Chapter 2 – ADMINISTRATION

ARTICLE I. – IN GENERAL

...

Sec. 2-2. – ~~Commission districts~~ City commission district map.

The boundaries of the five (5) city commission districts are illustrated on the ~~attached~~ district map attached as (Exhibit "B" "A" [of the ordinance from which this section derives]) to Ordinance No. 2022-04. In the event of a conflict between the map and the legal description, the legal description provided in Section 2-3 for each district shall control.

[delete map image]"

- 3.02 Section 2-3 of the Code of the City of North Port, Florida is hereby repealed in its entirety and replaced as follows:

“Chapter 2 – ADMINISTRATION

ARTICLE I. – IN GENERAL

...

Sec. 2-3. – City commission district legal descriptions.

The legal descriptions of the boundaries of the five (5) city commission districts are described in Exhibit "C" to Ordinance No. 2022-04."

SECTION 4 – CONFLICTS

- 4.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.

SECTION 5 – SEVERABILITY

5.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be deemed a separate, distinct, and independent provision and will not affect the validity of the remaining portions of the ordinance.

SECTION 6 – CODIFICATION

6.01 In this ordinance, additions are shown as underlined and deletions as ~~striketrough~~. Any additional codification information and notations appear in *italics*. These editorial notations are not intended to appear in the codified text.

SECTION 7 – EFFECTIVE DATE

7.01 This ordinance shall take effect one year from adoption.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public session on May 10, 2022.

ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in public session on May 24, 2022.

CITY OF NORTH PORT, FLORIDA

PETE EMRICH
MAYOR

ATTEST

HEATHER TAYLOR, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON
CITY ATTORNEY