

IN THE SUPREME COURT OF THE STATE OF FLORIDA  
SUPREME COURT CASE NO. SC02-194

IN RE: 2002 JOINT RESOLUTION  
OF APPORIONMENT

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**COMMENT BY THE CITY OF PEMBROKE PINES, FLORIDA**

Comes now the City of Pembroke Pines, Florida, pursuant to Article III, §16(c), Florida Constitution, and files this Comment objecting to the validity of the Florida Senate Redistricting Plan set forth in Senate Bill S17S0036, and the Florida House Redistricting Plan set forth in House Bill HO62H001.

The City of Pembroke Pines is Florida's tenth largest municipality, with a population of 137,427 according to the U.S. Census Bureau, Census 2000.<sup>1</sup> Pembroke Pines is located in Broward County, with its eastern border approximately ten (10) miles west of the Atlantic Ocean, and stretches approximately fifteen (15) miles to the west. It is comprised of approximately 35 square miles. Pembroke Pines is currently represented by three (3) members of the Florida House of Representatives, and one (1) member of the Florida Senate. The current boundaries for these representatives provide the requisite voice for the

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<sup>1</sup> The Census information is available at the Florida Legislature Redistricting web site at [www.floridaredistricting.org](http://www.floridaredistricting.org).

residents of the City of Pembroke Pines, as they meet the legal and traditional requirements of compactness, contiguity and respect for political subdivisions.

As observed by the Florida Attorney General and others that have filed Comments, including the City of Temple Terrace, the guidelines for apportionment are compactness, contiguous territory and respect for political subdivisions. Shaw v. Reno, 509 U.S. 630, 113 S. Ct. 2816, 125 L.Ed. 511 (1993). The redistricting does not satisfy the requirements of compactness and respect for political subdivisions as they relate to the City of Pembroke Pines.

The proposed redistricting divides the City of Pembroke Pines – a city whose population approximates the ideal size of a Florida House District<sup>2</sup> - into five (5) separate districts for the Florida House and three (3) separate districts for the Florida Senate. See Appendix attached hereto. As noted by the Florida Attorney General on page 21 of his Brief, one of the five house districts, District 101, encompasses a sliver of the City of Pembroke Pines, but is primarily a Collier County seat. Proposed District 101 runs practically coast-to-coast, stretching from just east of the City to Pembroke Pines, all the way across the state to the gulf coast, inclusive of Marco Island, a city approximately 116 miles in driving distance from the City of Pembroke Pines.

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<sup>2</sup> The ideal size for a Florida House District is 133,186. See Brief of the Attorney General, page 21.

The proposed reapportionment of Florida Senate Districts for the City is more egregious. Currently, the City of Pembroke Pines is represented by one (1) representative in the Florida Senate (Current District 32). As noted by the Florida Attorney General in his Brief, an ideal size for a Florida Senate District is 399,488. Pembroke Pine's population of 137,427 is approximately thirty four percent (34%) of this total. The City of Pembroke Pines can fit comfortably within one district – *as it currently does*. Yet, the Florida Legislature has seen fit to divide the City into three distinct districts for the Florida Senate. Two of the proposed districts, Districts 34 and 35, are primarily comprised of areas in Miami-Dade County. These districts are not only inconsistent, they are inapposite of the legal requirements for reapportionment.

By dividing the City of Pembroke Pines into five separate districts for the Florida House of Representatives, the Florida Legislature has diluted the voice of the City of Pembroke Pines without any need to do so. As noted previously, Pembroke Pine's population is only about 6,000 larger than the ideal population for a house district. Similarly, the Florida Legislature has unnecessarily divided the City of Pembroke Pines from one senate district to three senate districts, *two* of which are comprised primarily of areas in Miami-Dade County. As with the proposed house districts, there is no reason to divide the City except to remove its voice from state matters – a purpose not permitted by law.

Rather than respect the political subdivisions of Pembroke Pines, its neighboring municipalities and Broward County, whose interests in vital areas undertaken by the Florida Legislature each year are largely aligned due to proximity, the Florida Legislature has determined to disperse the residents of Pembroke Pines into five different house districts and three different senate districts. These districts span over no less than three counties, across vast amounts of uninhabited swamp land, and stretch from the Atlantic Ocean to the Gulf of Mexico. The result is an unnecessary dilution of the City's voice in local issues vitally important to its residents. There simply is no purpose for requiring the City to seek out eight different elected officials to discuss local issues within matters of state concern. Great confusion will undoubtedly result on the part of elected officials and City residents as to whom to speak concerning issues for state legislative action.

If the reapportionment is left to stand as proposed by the Florida Legislature, the City of Pembroke Pines, Florida's tenth largest City, would practically cease to have a voice in state government. This is contrary to the guidelines outlined by the United States Supreme Court, and is exactly what that Court warned against. Respectfully, this court should not let it remain.

WHEREFORE, the City of Pembroke Pines objects to the proposed reapportionment plans and requests this Court to deny the Petition for Declaratory Judgment, and order the Florida Legislature to follow established precedent by

keeping the City of Pembroke Pines within one (1) senate district, and not more than three (3) house districts.

**CERTIFICATE OF SERVICE**

WE HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to all parties appearing on the most recent revised service list which is attached hereto on this 16<sup>th</sup> day of April, 2002.

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**CERTIFICATE OF COMPLIANCE**

WE HEREBY CERTIFY that this Comment complies with the font requirements of the Florida Rules of Appellate Procedure Rule 9.210. The Brief is computer generated and is being submitted in Courier New 12-point font on 8 ½-by-11 inch paper. The lettering is black and in distinct type, double-spaced, and with margins no less than 1 inch, this 16th day of April, 2002.

BY: \_\_\_\_\_  
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