

There came on for consideration at a duly constituted meeting of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, held on the 15<sup>th</sup> day of May, 2012, the following Ordinance, which was reduced to writing and presented in advance of the meeting for reading and examination:

ORDINANCE NO. 590

AN ORDINANCE BY THE LONG BEACH TO RECONSTITUTE AND DESCRIBE POLLING PRECINCTS AND DESIGNATE POLLING PLACES WITHIN EACH PRECINCT; AND TO DIRECT THE CITY CLERK AS REGISTRAR TO ARRANGE THE ROLLS OF THE QUALIFIED ELECTORS OF THE CITY OF LONG BEACH FOR EACH PRECINCT; AND TO SUBMIT THE ORDINANCE TO THE UNITED STATES DEPARTMENT OF JUSTICE ACCORDING TO SECTION 5 OF THE VOTING RIGHTS ACT OF 1965, AND TO EFFECT AND IMPLEMENT THIS ORDINANCE FOR THE REGULARLY SCHEDULED QUADRENNIAL MUNICIPAL ELECTIONS IN THE YEAR 2013, AND SUBSEQUENT ELECTIONS, AND FOR ANY GENERAL REFERENDUM BY THE CITY OF LONG BEACH REQUIRING AN ELECTION AFTER VALIDATION OF THIS ORDINANCE UNDER THE REQUIREMENTS OF SECTION 5 OF THE VOTING RIGHTS ACT OF 1965.

WHEREAS, the City of Long Beach, Mississippi, (hereinafter "the City") is a municipal corporation located in the First Judicial District of Harrison County, Mississippi, organized and existing according to the laws of the State of Mississippi; and

WHEREAS, the City exists under the Code Charter statutory form of government as provided by Miss. Code Ann. (1972), as amended, Sec. 21-8-1, et seq., and the City of Long Beach continues to be governed and to operate under the Code Charter form of municipal government composed of six (6) districts known as wards from which one (1) alderman is elected from each ward ("single member wards") and one at-large alderman elected from the entire city, in accordance with the statutes of the State of Mississippi and ordinances of the City of Long Beach; and

WHEREAS, in adopting a plan for redistricting of wards and validating voting precincts for the redistricted wards, the Long Beach Board of Aldermen recognizes that as a result of the latest decennial census ("2010 Census") to conform with the "apportionment clause" of the United States Constitution, Article I, Section 2, and of the Voting Rights Act of 1965, Section 5 [42 U.S.C. > 1973(c)], it is required by state and

federal law to adopt by ordinance and to submit to the United States Department of Justice, Civil Rights Division, Voting Rights Section, its plan for redistricting, realignment and reconstituting (herein "redistricting") of the six (6) single member wards from which alderpersons shall be elected to represent the citizens of the City of Long Beach residing in each particular ward as nearly as reasonably practical to comply with the "one-man, one-vote" doctrine to achieve equal representation, while seeking to preserve the guarantees of the Fifteenth Amendment to the United States Constitution that the "right of citizens to vote shall not be abridged on account of race, color or previous condition of servitude", and while seeking to maintain and establish voting practices that avoid dilution of minority voting strength to the extent possible respecting clear and traditional municipal boundaries and preserving the core of prior districts, with a goal of achieving compactness and retaining continuity in the redistricting process; and no municipal election has been conducted by the City of Long Beach since the official 2010 Census data has been in effect as a requirement to redistrict the municipality; and

WHEREAS, before a redistricting plan was selected and approved by the Long Beach Board of Aldermen, public hearings were scheduled, and advance notice of the public hearings was duly published in *The Sun Herald*, a newspaper with a general circulation in the City of Long Beach and published in Harrison County, Mississippi, and accordingly public hearings were held in which requirements and alternative plans for redistricting based on the 2010 census were discussed, and public comment was received and transcribed as follows:

*Tuesday, April 17, 2012, at 5:00 p.m., City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi;*

*Tuesday, May 1, 2012, at 5:00 p.m., City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi.*

WHEREAS, at each Public Hearing, the City's Redistricting Consultant, hired by

the Governing Authority, presented in detail the plans developed at the time of each meeting, together with a map delineating the current City ward lines, and a table identifying the distribution of the population among the wards under prior data and the 2010 census data, such data being provided for total population, voting age population, white, black, and other distribution of population, which indicates that the percentage of population had shifted throughout the City; and

WHEREAS, in addition to large maps (42 inches tall by 36 inches wide), handout copies of maps (11 inches tall by 17 inches wide) data were available for all in attendance and citizens were permitted to address the Mayor and Board of Aldermen; and

WHEREAS, a representative from the City Attorney's Office was present during each Public Hearing; and

WHEREAS, during a regularly scheduled meeting of the Board of Aldermen on May 1, 2012 after consideration of all comments made during the Public Hearings, and all comments submitted to the Municipal offices, the Board of Aldermen discussed, took public comment and selected Plan Number 3 as the 2012 Redistricting Plan for the City of Long Beach, created in response to the first Public Hearing, and subsequently directed the City's Redistricting Consultant to prepare legal descriptions for Plan 3, a copy of the Map for the approved plan is attached hereto as **Exhibit "A-1"**; and

WHEREAS, this Ordinance incorporates the 2012 Redistricting Plan that the City Board of Aldermen found and approved as the most practical, workable, reasonable and fair plan, adopted in good faith to comply with the statutory laws of the State of Mississippi and federal laws and the United States Constitution, and controlling judicial decisions, preserving as nearly as possible the "one-man, one-vote" requirement, and this Ordinance officially describes voting precincts within each of the six (6) single member wards, and designates and locates the official voting (polling) places for each precinct, contingent on any and all necessary agreements being obtained for use of

facilities not owned by the City of Long Beach; and this Ordinance appearing to conform in all respects to the approved 2012 Redistricting Plan of the City of Long Beach, and the voting (polling) precincts and polling places appearing to be as reasonable and convenient to qualified voters as facilities are available to the City for public use, the City Board of Aldermen finds that this Ordinance should be approved as hereby submitted, and should be thereafter submitted with all necessary documentation, data and maps to the U.S. Department of Justice, Civil Rights Division, Voting Section pursuant to Section 5 of the Voting Rights Act, 42 U.S. C. 1973c, and after final preclearance, it should be implemented and applied for subsequent municipal elections as hereinafter directed and ordained, and

WHEREAS, the Governing Authorities of the City of Long Beach do now wish to adopt and implement such plan, in the form as attached hereto.

NOW THEREFORE, BE IT ORDAINED BY THE CITY BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

**SECTION 1.** That the matters, facts and things recited in the above and foregoing Preamble be, and they are hereby determined and adjudicated to be the official findings of the Board of Aldermen of the City of Long Beach, Mississippi.

**SECTION 2.** That in accordance with the 2012 Redistricting Plan of the City of Long Beach, the precincts and polling places for the City of Long Beach, Mississippi, be, and are submitted as herein provided.

**SECTION 3.** That the location of the voting (polling) places at which voting in all municipal elections for each voting precinct, **Exhibit "A-2"**, and the boundary and all territory included therein of each precinct are shown on **Exhibit "A-3"** *all attached hereto.*

**SECTION 4.** For the election of Members of the Long Beach City Board of Aldermen, this Ordinance shall not serve as the basis for representation until the next regular quadrennial municipal election scheduled by state statute to be held in the year 2013,

and subject to validation of this Ordinance according to Section 5 of the Voting Rights Act of 1965, this Ordinance shall be in effect for any other subsequent election or referendum of the municipality in which an election is required, and shall be in effect and implemented for the 2013 quadrennial municipal election, and shall be the basis of representation from the time that the Board of Aldermen members are elected by said 2013 election to take office, and at all times thereafter.

**SECTION 5.** That the City Clerk, as Registrar for the City of Long Beach in Harrison County, Mississippi, is hereby directed to rearrange the voter rolls of the qualified electors of the City of Long Beach, Mississippi, in accordance with the wards established by Ordinance No. 590, approved May 15, 2012, and the precincts and polling places established herein, so as to complete the preparation of voting rolls in ample time for the party primaries scheduled to be held for the regular quadrennial municipal election if 2013, and in sufficient time to give notice to all registered voters.

**SECTION 6.** That subject to validation of this Ordinance according to Section 5 of the Voting Rights Act of 1965, the next regular quadrennial municipal election of city Board of Aldermen members scheduled by state statute in the year 2013, and any and all other municipal elections held after validation hereof, shall be held in the wards previously approved and at the voting (polling) places for each ward, and each voting precinct within each ward where the polling place is located as set forth in Sections 3, 4, 5, 6, 7, 8 and above, and as delineated on the map of precincts and polling places attached hereto as Exhibit "A-1", "A-2", and "A-3"; and the clerks and managers for holding said elections shall be appointed for each of the polling places as provided by law.

**SECTION 7.** Subject to validation hereof, all ordinances, resolutions, orders, or other acts of the Governing Authority of the City of Long Beach, Mississippi, or any parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed; and if any section, clause, or other part of this Ordinance is invalidated or becomes legally unenforceable or rendered invalid by any law, judicial

decision, or overriding governmental regulation, all remaining sections, clauses or parts hereof shall continue in full force and effect.

SECTION 8. This Ordinance shall take effect thirty (30) days after the date of passage

SECTION 9. Notice of adoption of this Ordinance shall be published in accordance with Miss.

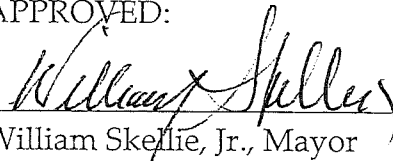
Code Ann. Sec. 21-37-25, as amended.

The above and foregoing Ordinance Number 590 was introduced in writing by Alderman Ponthieux who moved its adoption. Alderman Anderson seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote by the mayor, the result was as follows:

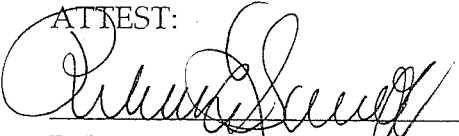
Alderman Bernie Parker	voted Absent, Not Voting
Alderman Gary J. Ponthieux	voted Aye
Alderman Kaye H. Couvillon	voted Nay
Alderman Carolyn J. Anderson	voted Aye
Alderman Leonard G. Carrubba, Sr.	voted Nay
Alderman Mark E. Lishen	voted Aye
Alderman Ronnie Hammons, Jr.	voted Aye

The question having received the Affirmative vote of a majority of the Aldermen present and voting, the Mayor declared the motion carried and Ordinance Number 590 adopted and approved this 15<sup>th</sup> day of May, 2012.

APPROVED:

  
William Skellie, Jr., Mayor

ATTEST:

  
Rebecca E. Schruuff, City Clerk

## CERTIFICATE

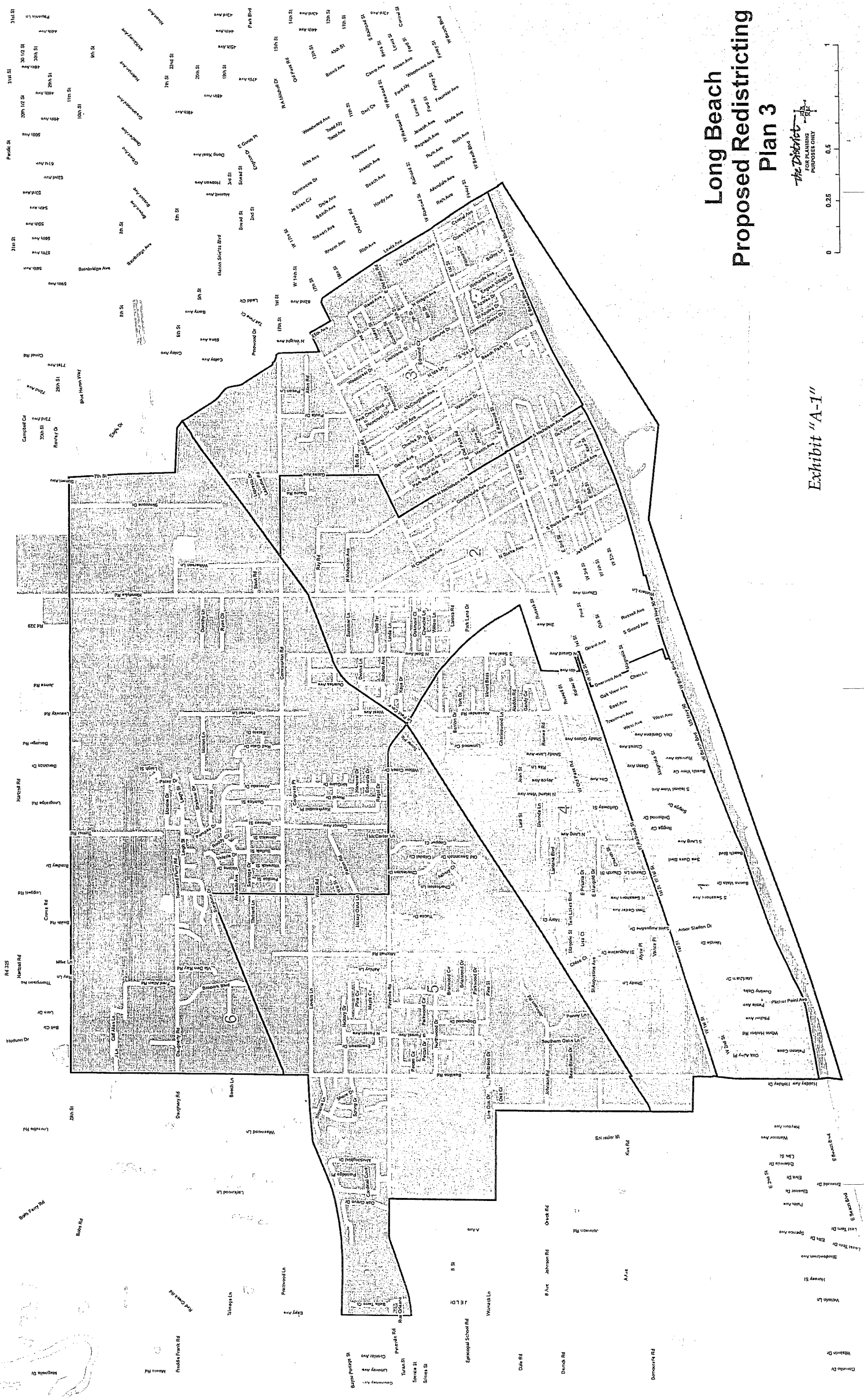
I, the undersigned, Rebecca E. Schruff, City Clerk within and for the City of Long Beach, Mississippi, do hereby certify that the above and foregoing is a true and correct copy of that certain Ordinance #590 of the City of Long Beach, Mississippi, adopted by the Mayor and Board of Aldermen at a regular meeting duly held and convened on the 15<sup>th</sup> day of May, 2012, as the same appears of record in Ordinance Book #8, pages 45-51 inclusive, in my office at the City Hall in said City.

Given under my hand and the official seal of my office this the 16<sup>th</sup> day of May, 2012.

-SEAL-



Rebecca E. Schruff, City Clerk



# Long Beach Proposed Redistricting Plan 3

The District  
FOR PLANNING  
PURPOSES ONLY

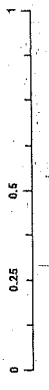


Exhibit "A-1"



LONG BEACH VOTING DISTRICT	LONG BEACH VOTING PRECINCT	Contact Information
WARD 1	Methodist Church-Christian Life Center 208 Pine Street Long Beach, MS 39560	Rev. Rod Dixon-Rishel 228-863-9619
WARD 2	Presbyterian Church Education Building-McGinnis Wharton Hall 208 South Burke Avenue Long Beach, MS 39560	Rev. Rob Butler 228-863-7633 <a href="mailto:robbutler@cableone.net">robbutler@cableone.net</a>
WARD 3	Technology Learning Center University of Southern Mississippi Gulf Park Campus 703 East Beach Boulevard Long Beach, MS 39560	Frances Lucas, PhD Gulf Coast Vice-President/Campus Executive Officer 228-865-4531 <a href="mailto:frances.lucas@usm.edu">frances.lucas@usm.edu</a>
WARD 4	Police Department Shelter 201 Alexander Road Long Beach, MS 39560	Police Chief Wayne McDowell 228-865-1981 <a href="mailto:chief@cityoflongbeachms.com">chief@cityoflongbeachms.com</a>
WARD 5	Grace Lutheran Church 19221 Pineville Road Long Beach, MS 39560	Rev. Barbara Hunter 228-864-4248
WARD 6	Long Beach School District Central Office 19148 Commission Road Long Beach, MS 39560	Carolyn Hamilton Superintendent of Education 228-864-1146 <a href="mailto:hamilton@lbsdk12.com">hamilton@lbsdk12.com</a>

*Exhibit "A-2"*

## Ward 1:

Beginning at the intersection of the northern margin of U.S. Highway 90 with the west boundary of the corporate limits of Long Beach; thence northerly along the west boundary of the corporate limits of Long Beach to the centerline of the L&N Railroad; thence easterly along the centerline of the L&N Railroad to the intersection of the southerly extension of the centerline of Alexander Road; thence northerly along the centerline of Alexander Road to the intersection of the centerline of West Old Pass Road; thence easterly along the centerline of West Old Pass Road to the intersection of the centerline of South Seal Avenue; thence northerly along the centerline of South Seal Avenue to the intersection of the centerline of Larosa Road; thence easterly along the centerline of Larosa Road to the intersection of the centerline of Klondyke Road; thence southerly along the centerline of Klondyke Road or the southerly extension thereof to the intersection of the centerline of the L&N Railroad; thence easterly along the centerline of the L&N Railroad to the intersection of the centerline of Jeff Davis Avenue; thence southerly along the centerline of Jeff Davis Avenue to the northern margin of U.S. Highway 90; thence westerly following the northern margin of U.S. Highway 90 to the point of beginning.

## Ward 2:

Beginning at the intersection of the northern margin of U.S. Highway 90 with the west boundary of the corporate limits of Long Beach; thence easterly along the northern margin of U.S. Highway 90 to the intersection of the centerline of Jeff Davis Avenue; thence northerly along the centerline of Jeff Davis Avenue to the intersection of the centerline of the L&N Railroad; thence westerly along the centerline of the L&N Railroad to the southerly extension of the centerline of Klondyke Road; thence northerly along the centerline of Klondyke Road to the intersection of the centerline of Larosa Road; thence westerly along the centerline of Larosa Road to the intersection of the centerline of South Seal Avenue; thence southerly along the centerline of South Seal Avenue to the intersection of the centerline of West Old Pass Road; thence westerly along the centerline of West Old Pass Road to the intersection of the centerline of Alexander Road; thence northerly and northeasterly following the centerline of Alexander Road to the intersection of the centerline of Pineville Road; thence northwesterly and westerly following the centerline of Pineville Road to the intersection of the centerline of Royal Drive; thence northerly along the centerline of Royal Drive to the intersection of the centerline of Commission Road; thence easterly along the centerline of Commission Road to the intersection of the centerline of Klondyke Road; thence northerly along the centerline of Klondyke Road and North Klondyke Road to the intersection with the northern boundary of the corporate limits of Long Beach; thence easterly and southerly following the boundary of the corporate limits of Long Beach to the intersection of the centerline of 28<sup>th</sup> Street; thence easterly along the centerline of 28<sup>th</sup> Street to the eastern boundary of the corporate limits of Long Beach; thence southeasterly following the boundary of the corporate limits of Long Beach to the intersection of the centerline of Commission Road; thence westerly along the centerline of Commission Road to the intersection of the centerline of Paula Drive; thence southerly along the centerline of Paula Drive to the intersection of the centerline of Allen Road; thence westerly along the centerline of Allen Road to the intersection of the centerline of Nicholson Avenue; thence southerly along the centerline of Nicholson Avenue to the northern margin of U.S. Highway 90; thence easterly along the northern margin of U.S. Highway 90 to the eastern boundary of the corporate limits of Long Beach; thence southeasterly to the southeastern corner of the boundary of the corporate limits of Long Beach (a point 5000 feet South 28 degrees East of the southeastern corner of Lot #7 of the Gottschalk Survey); thence westerly parallel with and 5000 feet distant from the shoreline of the Mississippi Sound along the southern boundary of the corporate limits of Long Beach to the southerly extension of the east line of Section 21, Township 8 South, Range 12 West; thence northerly along the southerly extension of the east line of Section 21, Township 8 South, Range 12 West to the point of beginning.

## Ward 3:

Beginning at the intersection of the northern margin of U.S. Highway 90 with the centerline of Nicholson Avenue; thence northerly along the centerline of Nicholson Avenue to the intersection of the centerline of Allen Road; thence easterly along the centerline of Allen Road to the intersection of the centerline of Paula Drive; thence northerly along the centerline of Paula Drive to the intersection of the centerline of Commission Road; thence easterly along the centerline of Commission Road to the intersection with the eastern boundary of the corporate limits of Long Beach; thence southeasterly along the corporate limits of Long Beach to the northern margin of U.S. Highway 90; thence westerly along the northern margin of U.S. Highway 90 to the point of beginning.

## Ward 4:

Beginning at the intersection of the centerline of L&N Railroad with the western boundary of the corporate limits of Long Beach; thence northerly, westerly, northerly, westerly, and northerly following the corporate limits of Long Beach to the intersection of the centerline of Pineville Road; thence easterly along the centerline of Pineville Road to the intersection of the centerline of Beatline Road; thence southerly along the centerline of Beatline Road to the intersection of the centerline of Canal No. 1; thence northeasterly along the centerline of Canal No. 1 to the intersection of the centerline of Pineville Road; thence southeasterly along the centerline of Pineville Road to the intersection of the centerline of Alexander Road; thence southeasterly and southerly following the centerline of Alexander Road to the intersection of the centerline of the L&N Railroad; thence westerly along the centerline of the L&N Railroad to the point of beginning.

## Ward 5:

Beginning at the intersection of the Canal No. 2 with the western boundary of the corporate limits of Long Beach; thence easterly following the corporate limits of Long Beach to the centerline of Beatline Road; thence southerly along the centerline of Beatline Road to the intersection of the centerline of Lovers Lane; thence easterly along the centerline of Lovers Lane to the intersection of the centerline of Daugherty Road; thence southerly along the centerline of Daugherty Road to the intersection of the centerline of Pineville Road; thence easterly following the centerline of Pineville Road to the centerline of Canal No. 1; thence southwestward along the centerline of Canal No. 1 to the centerline of Beatline Road; thence northerly along the centerline of Beatline Road to the intersection of the centerline of Pineville Road; thence westerly following the centerline of Pineville Road to the intersection with the western boundary of the corporate limits of Long Beach; thence northerly along the western boundary of the corporate limits of Long Beach to the point of beginning.

## Ward 6:

Beginning at the intersection of the centerline of Beatline Road with the centerline of Lovers Lane; thence northerly along the centerline of Beatline Road following the corporate limits of Long Beach to the intersection of the centerline of 28<sup>th</sup> Street; thence easterly along the centerline of 28<sup>th</sup> Street following the corporate limits of Long Beach to the intersection of the centerline of North Klondyke Road; thence southerly along the centerline of North Klondyke Road and Klondyke Road to the intersection of the centerline of Commission Road; thence westerly along the centerline of Commission Road to the intersection of the centerline of Royal Drive; thence southerly along the centerline of Royal Drive to the intersection of the centerline of Pineville Road; thence westerly along the centerline of Pineville Road to the intersection of the centerline of Daugherty Road; thence northerly along the centerline of Daugherty Road to the intersection of the centerline of Lovers Lane; thence westerly along the centerline of Lovers Lane to the point of beginning.