A meeting of the Wayne County Apportionment Commission was held on Tuesday, April 12, 2011, in Room 705, Coleman A. Young Municipal Center, Detroit, Michigan 48226.

Raymond J. Wojtowicz, Chair of the Wayne County Apportionment Commission called the meeting to order at 10:30 a.m.

Chair Wojtowicz asked the Assistant Director of Elections, Delphine Oden, to call the roll. The following members answered the roll call:

Present:  
Vice-Chair Cathy M. Garrett  
Commissioner William J. Runco  
Commissioner William M. Wolfson  
Commissioner Kym L. Worthy  
Chair Raymond J. Wojtowicz

Absent:  
None.

Ms. Oden informed the commission that a quorum was present.

Also present:  
Janet Anderson-Davis, Corporation Counsel  
Delphine G. Oden, Secretary to the Commission  
Kurt Metzger  
Gregory Parrish  
Kat Hartman  
Caven West  
Trevor Tutro-Anderson  
Sao Hang  
Greg P. Mahar  
Natalie Mosher  
Wendy Lukianoff  
Joan Gebhardt  
Julien Godman  
Sally Kim  
Alan Helmkamp  
Felicia Johnson  
Bill Johnson  
Robert Levi  
Ann Abdoo  
Paula Bowman  
Kevin Kavanagh  
Ron Fields  
John Pfeiffer  
Larry Arreglen  
Wesley Rosekrans  
Shannon Price
Chair Wojtowicz requested the administration of the Oath of Office to Wayne County Prosecutor Kym L. Worthy. County Clerk Cathy M. Garrett, Vice Chair of the Apportionment Commission administered the oath to Kym L. Worthy.

Chair Wojtowicz requested a motion to adopt the agenda, as presented. Moved by Commissioner Runco, supported by Commission Wolfson to approve the agenda, as presented. A roll call vote was taken, as follows:

YEAS: Commissioners Garrett, Runco, Wolfson, Worthy and Chair Wojtowicz.
NAYS: None. ABSENT: None.

Chair Wojtowicz asked if there were any additions and/or corrections to the minutes of March 18, 2011.

Commissioner Worthy indicated that she was not challenging the opinion given regarding a deputy serving as a substitute for an elected official of the Apportionment Commission. The question was, can they serve for one meeting and not the whole appointment? The opinion was written as if the chief of staff was to serve for the entire process.

Chair Wojtowicz indicated that a statutory member could have a designee, an assistant and/or deputy, sit in on as many meetings as required until the statutory member returns. Commissioner Worthy requested that the minutes reflect that she was absent at the March 18, 2011 meeting because she was out of the country.

Additional discussed ensued regarding the board have not ruled on the question of whether or not a deputy can serve for a member of the commission.

Chair Wojtowicz requested a motion to approve the minutes of March 18, 2011. Moved by Commissioner Wolfson, supported by Commissioner Worthy to approve the March 18, 2011 Minutes, as corrected. A roll call vote was taken, as follows:

YEAS: Commissioners Garrett, Runco, Wolfson, Worthy and Chair Wojtowicz.
NAYS: None. ABSENT: None.

Chair Wojtowicz indicated that the commissioners received a copy of the Rules of Procedure, which incorporated the changes made at the last meeting. Moved by Commissioner Wolfson, supported by Commissioner Runco that the Rules of Procedure be adopted, as amended. Commissioner Garrett inquired about the blank space on Page 4 regarding the date of filing a plan with the Clerk of the Wayne County Apportionment Commission and that it could be amended at any time.

Chair Wojtowicz indicated that the date was undetermined because of the scheduling process that would be followed when the Director of Data Driven Detroit would give his presentation and submit a proposal. Chair Wojtowicz was not sure whether or not any commissioner had received the official statements from the Secretary of State and whether or not a copy of the information was available for the record. Commissioner Garrett informed the commission that the information was not available from the Secretary of State until April 6th.
Ms. Oden informed the commission that the day the communication was received from the Secretary of State, it was immediately forwarded to the commission by e-mail.

Commissioner Worthy requested that a date be inserted in the Rules of Procedure. Discussion ensued regarding having a plan submitted before June 6th, reminding the commission that the first 60 days are reserved for the commission to consider plans that are drawn by the commission and they may approve voter plans the 60th or 61st day which is June 6th; and that the date can always be amended.

Friendly amendment by Commissioner Runco, supported by Commissioner Wolfson, to insert the date of June 6, 2011 in the Rules of Procedure whereby any registered voter may submit an Apportionment Plan by filing such plan with the Clerk to the Wayne County Apportionment Commission. A roll call vote was taken on the motion and friendly amendment, as follows:

YEAS: Commissioners Garrett, Runco, Wolfson, Worthy and Chair Wojtowicz.
NAYS: None. ABSENT: None.

Commissioner Wolfson asked if it is possible for the commission to receive copies of the DVDs that were provided with the data by the Secretary of State. Commissioner Garrett asked why would it be necessary for each member to have a copy? Ms. Anderson-Davis indicated that it would depend on how the commission decides to draft their plans. Oakland County’s commissioners are submitting plans and if the commission decided to draft their own plans, each member should have a copy of the DVD. If the commission decides that Data Driven Detroit or another consultant draft the plan(s), it may not be necessary.

After additional discussion regarding receiving a copy of the DVD, ability to review the material, the DVD containing only numbers, Chair Wojtowicz requested a formal motion on the issue. Moved by Commissioner Wolfson, supported by Commissioner Worthy that each member of the board, with permission of the State of Michigan, be given a copy of the DVD. A roll call vote was taken, as follows:

YEAS: Commissioners Runco, Wolfson, Worthy and Chair Wojtowicz. NAYS: Commissioner Garrett. ABSENT: None.

Note: Commissioner Garrett wanted the minutes to reflect the “no” vote was because she felt the DVD should be in a central location and everyone having a DVD lends itself to putting more of a political sway on it and that reviewing the DVD in a central location would be more sufficient.

At 10:51 a.m., the meeting was recessed because Kurt Metzger, Director of Data Driven Detroit, had not yet arrived from a previous appointment to make his presentation to the commission.

At 11:12 a.m., the meeting was reconvened and Mr. Metzger made his presentation to the commission. Mr. Metzger presentation covered who and what Data Driven Detroit is all about; relationship between Data Drive Detroit and City Connect Detroit; mission and roles of Data Driven Detroit; and an overview of the 2010 census data. Mr. Metzger was asked if he was representing any other organization with respect
to apportionment and he indicated no. In addition, he is not aware of City Connect Detroit representing any organization with respect to reapportionment.

Discussion ensured as to how the commission would be billed for services provided. Mr. Metzger that he had a based numbers contract that has been discussed and not signed. Billing would be an hourly rate. Commissioner Garrett informed the board that in 2001 the clerk’s office reached out to Mr. Metzger, when he was at Wayne State, to help with the redistricting process. In 2011, the clerk’s office reached out to management and budget for funds and Kurt Metzger’s services at the beginning of the January to start the process, based on past experience.

Discussed ensued regarding based driven contracts; City Connect is Data Driven Detroit’s fiduciary; D3 is not a separate entity; preparing plans, if requested; budget for the commission. It was indicated that a budget was submitted to management and budget, by the county clerk’s office, for $91,000.00, for Mr. Metzger’s services and purchase of software used by other counties from the Secretary of State.

Ms. Anderson-Davis indicated that the commission might want to clarify the motion made at the last meeting to retain Data Driven Detroit. It has been determined that Data Driven Detroit is not a legal entity and decide whether or not the commission is retaining City Connect to draft the plans or teach other people how to draft the plans. Mr. Metzger informed the commission that the contract would have to be signed by City Connect Detroit because they are the legal entity for Data Driven Detroit.

It was noted that Wayne County is a charter county and the MCL 45 provides for 15 commissioners and non-chartered counties follow MCL 46, which allows for the increase or decrease of the number of county commissioners.

Commissioner Worthy asked whether or not there are county rules regarding obtaining bids for this process? Ms. Anderson-Davis indicated that there are exceptions within the procurement ordinance to the solicitation process in the instance where you do not have more than one vendor that’s capable of providing services or you have a very few vendors that are capable of providing services and where the process is exigent or emergency and the commission is on a June 6th deadline to accomplish this task. Commissioner Worthy requested an opinion regarding this matter.

Mr. Metzger indicated that the data he would provide to the commission would not be shared with anyone and that a reduced version of the presentation is available to the commission.

At 11:57 a.m., meeting recessed to remove the presentation equipment. At 12:00 noon, the meeting reconvened.

Discussion ensued regarding the bid process. There was concern regarding not obtaining other proposals; not following guidelines, if there is an ordinance requiring competitive bidding; whether or not the commission had a budget; make sure that funds are not drawn from the treasurer’s, clerk’s or prosecutor’s budget. Commissioner Garrett asked if the treasurer would like the clerk’s office to retract their request and a budget be submitted by the Chair of the commission. Chair Wojtowicz asked for
clarification on the procurement ordinance for sole source contracts. Ms. Anderson-Davis indicated that there is no need to have a bid for sole source contracts and if there are very few contractors, you can do a comparable source contract, which is, treated the same as a sole source contract and you need not go out for bids. You can also do an emergency or exigent contract.

Commissioner Runco asked for an explanation on the $91,000.00 budget request. Mr. Caven West, Chief Deputy County Clerk addressed the commission. He indicated that the letter addressed on March 25th was sent to management and budget and copied to the commissioners. It contained a compilation of what they thought the professional services contract for the amount of time that it would take City Connect to complete the professional services work at $65 an hour, which is the flat rate referenced earlier. The mapping software utilized by Oakland County and the Secretary of State, supplies, some equipment, and laptops for each commissioner is included in the budget. Mr. West informed the commission that the mapping software is needed to manipulate the data from the census bureau.

Discussion ensued regarding arrangements for contractual obligations and costs; preparing contract for City Connect; scope of services; making sure that City Connect and Data Driven Detroit have no other relationships regarding the apportionment process; level of services to be provided; and providing technical assistance to the commission and staff.

Moved by Commissioner Wolfson, supported by Commissioner Worthy that any organization that this commission retains, regarding the data and work process that is involved in the support of this commission and its activities, that it be done exclusively for this commission; and that they not represent other individuals and entities with regard to these apportionment issues. A roll call vote was taken, as follows:

YEAS: Commissioners Runco, Wolfson, Worthy and Chair Wojtowicz. NAYS: Commissioner Garrett. ABSENT: None.

Commissioner Worthy indicated that the commission could discuss the scope of services without identifying any particular vendor at this time and make a decision. Moved by Commissioner Worthy, supported by Commissioner Garrett that whoever the vendor may be, whether it is City Connect or another vendor that we retain their services to present an entire plan for us to discuss. Friendly amendment by Commissioner Runco, supported by Commissioner Worthy that the vendor may submit one plan or several different plans. A roll call vote was taken, as follows:

YEAS: Commissioners Runco, Wolfson, Worthy and Chair Wojtowicz. NAYS: Commissioner Garrett. ABSENT: None.

The commission established the next meeting for Friday, April 15, 2011 at 10:30 a.m. to vote on a vendor, after corporation counsel determines the procedure to follow.

Chair Wojtowicz indicated the next item on the agenda is Public Comment. The following comments were made:

Wendy Lukianoff of AFSCME Local 25: $91,000.00 is a lot of money to spend; purchasing laptops for each individual; laptops could be shared; the elective officers have laptops that can be used without purchasing some for this purpose; services are
being cut, employee paychecks are being cut; maybe some of the things can be done in-house.

Commissioner Worthy commented that the budget was a proposed budget; it has not been approved; and the clerk was doing due diligence to try to move things along.

Natalie Mosher of League of Women Voters of Northwest Wayne County: Who does Mr. Metzger have a contract with? If his organization received a grant for 1.8 million dollars from a foundation, was part of the scope of services or work that was to be performed to provide to the foundation that gave the money do a redistricting plan? Ms. Anderson-Davis responded that Mr. Metzger’s contract is with the County of Wayne. Mr. Metzger responded that the money received from the Skillman and Kresge Foundations were given to start Data Driven Detroit and establish the data center and build the infrastructure to serve particular needs, developing the kind of neighborhood structures to better understand where investments were going and understand how to measure the trends.

Sally Kim of Asian and Pacific Islander American Vote-Michigan: The organization would be proposing their own maps for Wayne County and wanted to make sure the information is publicly available and that the fastest growing population in Michigan, Asian Americans, will be considered a community of interest. Ms. Kim suggested that all proposed maps from the commissioners and the public be in an acceptable format on a website for public viewing before a plan is voted on.

Commissioner Worthy wanted to make it clear that we have laptops and all are grant driven.

There being no further business to come before the commission, Chair Wojtowicz declared the meeting adjourned at 12:25 p.m.

Respectfully submitted,

Delphine G. Oden, Secretary