A meeting of the Wayne County Apportionment Commission was held on Friday, April 15, 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 10:33 a.m.

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

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

Absent:  
- Commissioner William J. Runco (entered the meeting at 10:30 a.m.)

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

Also present:  
- Kevin Kavanagh, Corporation Counsel  
- Delphine G. Oden, Secretary to the Commission  
- Gregory Parrish  
- Kat Hartman  
- Caven West  
- Trevor Tutro-Anderson  
- Sao Hang  
- Greg P. Mahar  
- Joan Gebhardt  
- Felicia Johnson  
- Bill Johnson  
- Jina Sawani  
- Robert Levi  
- Alan Helmkamp  
- John Pfeiffer  
- Ronnie Fields  
- Shannon Price
Chair Wojtowicz requested a motion to adopt the agenda, as presented. Moved by Commissioner Wolfson, supported by Commissioner Worthy to approve the agenda, as presented. A roll call vote was taken, as follows:

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

Chair Wojtowicz requested a motion to adopt Agenda Item 4(a). Moved by Commissioner Wolfson, supported by Commissioner Garrett that the opinion submitted by Corporation Counsel regarding retaining professional services as it relates to the Wayne County Procurement Ordinance, be accepted. A roll call vote was taken, as follows:

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

Chair Wojtowicz requested a motion to finalize contractual agreement for hiring professional services for the development of the commission’s Apportionment Plan. (Commissioner Runco enters the meeting at 10:38 a.m.). Moved by Commissioner Garrett, supported by Commissioner Wolfson, to finalize contractual agreement for hiring professional services for the development of the commission’s Apportionment Plan. A roll call vote was taken, as follows:

YEAS: Commissioners Garrett and Chair Wojtowicz. NAYS: Commissioner Worthy. ABSTENTIONS: Commissioners Runco and Wolfson. ABSENT:

Commissioner Runco asked if a written opinion had been submitted. It was indicated an opinion had been received. Discussion ensued regarding price structure, looking at the budget items; not receiving or reading an agreement to see what the scope of services are; submission of a suggested recommended contract, the scope and mission of it and cost factor for an appropriation to cover the functions, by corporation counsel.

Chair Wojtowicz asked Kevin Kavanagh, Corporation Counsel if he had any statements to make regarding this matter. Mr. Kavanagh indicated that Ms. Anderson-Davis had been corresponding with the clerk’s staff, including Mr. West, and Mr. Fields and perhaps they could speak on the subject.

Mr. West indicated that Mr. Kavanagh is asking the clerk’s staff to respond to the scope of services that is squarely in the purview of corporation counsel. He also indicated that the clerk’s staff initially drafted the scope of service and presented the contract document to corporation counsel two weeks ago. He also indicated that he was not aware of any additional communication between Data Driven Detroit/City Connect and corporation counsel to finalize the agreement. The cost related to the entire project was initially submitted. In Appendix B, Ms. Anderson-Davis has gone through and interpreted the wishes of the commission and made a compilation as to what she thinks the entire cost for this project is going to be.
Commissioner Worthy indicated that she thought the commission would received a breakdown of costs and what it entailed. The commission voted on receiving a complete recommendation from whoever the contractor is indicating exactly what they would be doing and the cost associated with it. Appendix B did not clarify that issue.

Discussion ensued on scope of services relayed to the clerk's staff by Ms. Anderson-Davis which included areas that needed to be fleshed out and specific questions raised; not having a copy of the working contract for the commission; voting on something that had not been fleshed out. Commissioner Garrett indicated that reference being made regarding the clerk's staff dealing with the contract when it should be corporation counsel and the contractor. Mr. Kavanagh stated that it was not Ms. Anderson-Davis' assignment to resolve or assume responsibility for all of the business decisions and those matters related to the contract. Commissioner Wolfson indicated the intent was to have the business terms worked out as close as possible and brought back to the commission. The commissioners have not seen a formal contract or Exhibit A or B. The next step is to have a document before the commission in order to vote on it before it is submitted to the county for processing in accordance with the procedures. Mr. Kavanagh indicated that it was not his understanding that corporation counsel was suppose to provide a working document to the body today.

Additional comments and concerns included corporation counsel acting in an advisory capacity, presenting the commission with the documentation needed to review in order to decide who the vendor is going to be and what the scope of services would be so that the commission could vote and be able to proceed; unable to vote on City Connect until the terms of finances, scope of services and timetable is known; take the clerk's office out of the situation and have corporation counsel deliver opinions to the Chair; Data Driven Detroit offering a rate of $65 an hour all services, not exceeding 500 hours; Data Driven Detroit is willing to purchase the AutoBound software from the State of Michigan.

Moved by Commissioner Wolfson, supported by Commissioner Runco that the commission retain City Connect at a rate of $65 an hour for the first 500 hours and thereafter to be capped at a maximum of $32,500; and that a formal contract be presented to this commission consistent with that motion no later than Tuesday, the 19th of April and that formal contract indicate in it also that City Connect and Data Driven Detroit will not represent any other entities with respect to the apportionment process and that formal contract indicate that City Connect and Data Driven Detroit will hold our data and information confidential consistent with the legal requirements of the Michigan Freedom of Information Act, other operable statutes, and the will of this commission to make sure that we keep the public advised. Friendly amendment by Commissioner Runco that the Chairman and Mr. Metzger are empowered to serve as the signatory to review the proposed contract and execute it and that the commission have 24 hours to move for reconsideration or to move to renew consideration based on that document; and include in the contract that City Connect would purchase the AutoBound software and that cost would be included, as well. Friendly amendment by Commissioner
Worthy that the contract explain in detail the scope of services that they’re going to be executing for us for these funds. A roll call vote was taken, as follows:

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

Discussion ensued regarding the budget and what account the funds will come from; retract the budget request submitted by the clerk’s office and let everything come from the Chair. Moved by Commissioner Runco, supported by Commissioner Wolfson that the Wayne County Apportionment Commission request funding from the County Executive’s Office and the Wayne County Board of Commissioners in an amount of $34,500 for services that will be potentially provided by Data Driven Detroit. Friendly amendment by Commissioner Wolfson, supported by Commissioner Runco to make the budget request for $35,000 maximum. Friendly amendment by Commissioner Wolfson, supported by Commissioner Runco that the communication could say initial appropriation. A roll call vote was taken, as follows:

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

Moved by Commissioner Worthy, supported by Commissioner Garrett that the commission have a standing meeting on Friday at 10:30 a.m. with the exception of Good Friday, April 22nd when we convene at 9:00 a.m. A roll call vote was taken, as follows:

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

Commissioner Garrett asked when a governmental unit has to be contacted who would make that contact – corporation counsel or the secretary. On two separate occasions the secretary had made contact with the state and corporation counsel sent e-mails to the state regarding the same issues. Chair Wojtowicz indicated that contact with outside governmental agencies will go through the secretary.

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

Joan Gebhardt representing the Northwest League of Women Voters – interested in the counts down to the precinct level and is there a way for the public to get the information. It was suggested that the Michigan Secretary of State, Bureau of Elections, be contacted.

Felicia Johnson, Counsel to the Wayne County Commission - would like clarification regarding the procedures, including the timetable the commission will use to actually approve a plan and no specifications regarding how those plans are to be submitted.

Kevin Kavanagh, Corporation Counsel – June 6th is the first day that voters submit plans to be approved, but the 60-day deadline with respect to this commission expires June 3rd, which is the Friday before that, is the deadline for the commission to approve any plans that are proposed.

Commission.
Members of the commission had concerns regarding the absolute deadline for submitting the commission’s plan.

Chair Wojtowicz requested a motion to adjourn the meeting. Moved by Commissioner Garrett, supported by Commissioner Worthy that the meeting is hereby adjourned at 11:45 a.m.

Respectfully submitted,

Delphine G. Oden, Secretary