

Michigan Independent Citizens Redistricting Commission

Virtual Meeting via Zoom Webinar due to the ongoing Covid-19 pandemic,
pursuant to 2020 PA 254 (MCL 15.263)

Full agenda, presentations, transcripts, and video recordings are available at
RedistrictingMichigan.org

Thursday, February 25, 2021

1:00 PM – 5:03 PM

MINUTES

PRESENT: Douglas James Clark
Juanita Curry
Anthony Eid
Brittni Kellom
Rhonda Lange
Steven Terry Lett
Cynthia Orton
MC Rothhorn
Rebecca Szetela
Janice Vallette
Erin Wagner
Richard Weiss
Dustin Joseph Witjes

ABSENT: N/A

OTHERS PRESENT: Suann Hammersmith, Executive Director
Julianne V. Pastula, General Counsel
Edward Woods III, Communications and Outreach Director
Michigan Department of State (“MDOS”) staff

CALL TO ORDER AND WELCOME

Commissioner Lett, Chair, called the meeting of the Michigan Independent Citizens Redistricting Commission to order at 1:00 PM.

ROLL CALL

MDOS staff called roll. All commissioners were present and a quorum was met.

ADOPTION OF THE AGENDA

MOTION: Commissioner Lett, Chair, called for a motion to approve the agenda. **Motion by Commissioner Lange. Supported by Commissioner Witjes. Commissioner Lett, Chair, held a vote by show of hands. MOTION UNANIMOUSLY APPROVED.**

REVIEW AND APPROVAL OF MINUTES

Commissioners discussed the draft minutes. Commissioner Lett, Chair, called for a show of hands to approve minutes. **MINUTES UNANIMOUSLY APPROVED.**

MOTION: Commissioner Lett, Chair, called for a motion to approve the minutes. **Motion by Commissioner Witjes. Supported by Commissioner Rothhorn. Commissioner Lett, Chair, held a vote by show of hands. MOTION UNANIMOUSLY APPROVED.**

PUBLIC COMMENT

Commissioner Lett, Chair, opened the floor to public comment. There was no public comment.

A full inventory of live and written public comment is available at RedistrictingMichigan.org.

CORRESPONDENCE

Executive Director Hammersmith reported correspondence from Dane County Planning and Development from Madison, Wisconsin regarding system for collecting public input. The executive director will involve Michigan Department of State staff for response. Correspondence was also received from Delta Sigma Theta Sorority regarding the Commission's plans for Voter Rights Act (VRA) legal counsel which will be addressed later in today's meeting.

EXECUTIVE DIRECTOR REPORT

Executive Director Hammersmith reported that today's meeting will include two continuing education segments. The first will be a panel presentation on the Voting Rights Act (VRA) and the second will be insights from the 2010 Arizona redistricting process. In addition, the Line Drawing and Redistricting Technical

Issues Committee will report their recommendations; MICRC staff will provide recommendations on how to proceed with the VRA legal counsel RFP; and an update regarding marketing plans and proposed dates for public hearings will be provided. Resolution 2021-02-05 that appointed Commissioner Curry to approve media releases and Commissioner Szetela as the alternate, was provided as a reference document since the resolution had been adopted at the February 18, 2021 meeting. The executive director also hosted a brief icebreaker activity.

LEGAL COUNSEL REPORT

General Counsel Pastula addressed any potential confusion regarding closed session. She clarified that the MICRC has not proposed going into closed session for any purpose and there are no plans in the near future for a closed session. Clarification was also provided on Subsection 11 which does not restrict communication between commissioners, or between commissioners and MICRC staff. Subsection 11 does restrict communication between commissioners and the public outside an open meeting of the MICRC. There is an exception that commissioners may discuss redistricting matters with members of the public to gain information relevant to the performance of their duties only if the communication occurs in writing or at a previously publicly noticed forum or town hall that is open to the general public. The next three items commissioners can expect from the legal counsel include a document on census issues, a Record Retention Policy and a Conflict of Interest Policy.

COMMUNICATIONS AND OUTREACH REPORT

Communications and Outreach Director Woods reported that professional photos and video statements for commissioners are underway and thanked MDOT and MDOS staff for their assistance. Outreach to local governments begins in March. Commissioners were provided with a PowerPoint and talking points to utilize during presentations. A goal of 100 municipalities was identified and to date, 69 municipalities have signed up.

MICHIGAN DEPARTMENT OF STATE (MDOS) UPDATES

MDOS staff provided an update on the Commission's administrative requests.

UNFINISHED BUSINESS – General Counsel Pastula

1. Procurement Review Procedures and Guidelines-Resolution 2021-02-06. Legal Counsel Pastula presented revised procurement policy and Commissioner Kellom, Vice Chair, led discussion.

MOTION: Approve Resolution 2021-02-06 with no dollar limit.
Motion by Commissioner Eid. Supported by Commissioner Rothhorn. Continued discussion on the motion.

MOTION TO AMEND: Amend the motion to include a \$50,000 limit on emergency procurements. **Motion by Commissioner Clark. Supported by Commissioner Kellom. Commissioner Lett, Chair, called for a roll call vote to amend the motion.**

Voting Yes: Commissioners Clark, Orton, Wagner, Kellom, Rothhorn, Eid, Lett, Szetela, Vallette, Weiss.

Voting No: Commissioners Lange, Curry, Witjes.

Absent: n/a

AMENDMENT TO THE MOTION APPROVED 10-3.

MAIN MOTION AS AMENDED: Motion to adopt the Procurement Review Procedures and Guidelines as amended. Motion by Commissioner Eid. Supported by Commissioner Rothhorn. Commissioner Lett, Chair, called for a roll call vote on the main motion as amended. Voting Yes: Commissioners Clark, Orton, Wagner, Kellom, Rothhorn, Eid, Lett, Szetela, Vallette, Weiss
Voting No: Commissioners Lange, Curry, Witjes

Absent: n/a

AMENDED MOTION APPROVED 10-3.

Commissioner Lett, Chair, requested that General Counsel Pastula provide the approved policy to the commissioners.

BREAK

Commissioner Lett, Chair, called for a brief break from 2:00 PM to 2:10 PM.

CONTINUING EDUCATION

1. Voting Rights Act. Commissioners provided with continuing education on the VRA. Presented by:
 - Matt Grossman, Director, Institute for Public Policy and Social Research & MSU Professor
 - Leah Aden, Deputy Director of Litigation, NAACP Legal Defense & Educational Fund
 - David Becker, Executive Director & Founder of The Center for Innovation & Research
 - Michael Li, Senior Counsel, Brennan Center for Justice

2. 2010 Arizona Redistricting. Commissioners provided with continuing education based on insights from Arizona redistricting efforts. Presented by:
 - o Colleen Mathis, Chairperson of the 2010 Commission
 - o Ray Bladine, Executive Director to the 2010 Commission

BREAK

Commissioner Lett, Chair, called for a brief break from 4:15 PM to 4:25 PM.

NEW BUSINESS

1. Line Drawing and Redistricting Technical Services Committee Report. Commissioner Witjes, Committee Chair, presented the committee's recommendation that Election Data Services and HaystaqDNA be invited to present to the full Commission their proposals for line drawing and redistricting technical services.

MOTION: Adopt Resolution 2021.02.07 to invite Election Data Services and HaystaqDNA to present their proposals for line drawing and redistricting technical services to the MICRC on March 4, 2021. **Motion by Line Drawing and Redistricting Technical Services Committee. Commissioner Lett, Chair, held a vote by show of hands. MOTION UNANIMOUSLY APPROVED.**

Commissioners agreed to extend the next meeting on March 4, 2021 an additional two hours to accommodate the presentations.

2. Proposed Plan for Seeking VRA Legal Counsel. General Counsel Pastula requested the Commission authorize a second Request for Proposals (RFP) posting with the Racial Voting Block expertise requirement extrapolated for a separate posting at a later date.

MOTION: Adopt Resolution 2021.01.08 to authorize a second RFP posting for VRA Legal Counsel, as amended. **Motion by Commissioner Lange. Supported by Commissioner Clark. Commissioner Lett, Chair, held a vote by show of hands. MOTION UNANIMOUSLY APPROVED.**

3. Proposed Marketing Contract. Communications and Outreach Director Woods requested the Commission approve Critical Mention as a cloud-based media monitoring daily service for the MICRC. This contractor, as explained by MDOS Chief Legal Director Mike Brady, has been prequalified through the State's competitive and transparent RFP process. Cost for the service is \$1,000.

MOTION: Approve contract with Critical Mention as the MICRC media monitoring service. **Motion by Commissioner Clark. Supported by Commissioner Weiss. Commissioner Lett, Chair, held a vote by show of hands. MOTION UNANIMOUSLY APPROVED.**

4. Additional Business
 - a. Revised Proposed Locations for Public Hearings
 - b. Special Meeting to Discuss Census
 - c. Key Provisions of Constitutional Amendment
 - d. Proposed Marketing Contracts

MOTION: Table discussion on public hearing dates, census, key provisions of the Constitutional amendment, proposed marketing contracts, and other business as listed on a prepared agenda for a special MICRC meeting on March 5, 2021 from 1:00 PM to 3:00 PM. **Motion by Commissioner Rothhorn. Supported by Commissioner Kellom, Vice Chair. Commissioner Lett, Chair, held a vote by show of hands. MOTION UNANIMOUSLY APPROVED.**

ANNOUNCEMENTS

1. The University of Michigan webinar on communities of interest is tonight at 7:00 PM. All commissioners are invited to attend as audience members.
2. Commissioners scheduled to speak at next week's local government meetings were reminded to check email for event information.

ADJOURNMENT

There being no further business, Commissioner Lett, Chair, called for the Commission to adjourn.

The meeting was adjourned at 5:03 PM.