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MICRC

04/22/21 1:00 pm Meeting

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>> VICE CHAIR SZETELA: Good afternoon. As Chair, I'm sorry, as Vice Chair of the Commission, I call the meeting of the Michigan Citizens Redistricting Commission to order at 10:00.

this Zoom Webinar is being live streamed to YouTube at www.YouTube.com/MICHSOSoffice/videos.

For anyone in the public watching, who would prefer to watch via a different platform than they are currently using, please visit our social media at redistricting MI to find the link for viewing on YouTube.

Our live stream today includes closed captioning.

We have ASL interpretation available for this meeting. If you are a member of the public watching, who would like easier viewing options for ASL interpreter on your screen, please e-mail us at redistricting@Michigan.gov and we will provide you with additional viewing options.

Similarly, members of the public who would like to access translation services during the webinar can e-mail us at redistricting@Michigan.gov for details on how to access language translation services available for this meeting.

Translation services are available for both Spanish and Arabic. Please e-mail us at redistricting@Michigan.gov and we will provide you with an unique link and call-in information.

People with disabilities needing other specific accommodations should contact redistricting@Michigan.gov.

This meeting is being recorded and will be available at RedistrictingMichigan.org for viewing at a later date.

This meeting is also being transcribed and those transcriptions will be made available and posted on the RedistrictingMichigan.org along with written public comment submissions.

And members of the media who may have questions before, during or after the meeting should direct the questions to Edwards III, Communications and Outreach Director for the Commission, at WoodsE3@Michigan.gov or 517-331-6309. Members of the media should have his contact information.

For purposes of the public watching and for the public record, I will turn to the Department of State staff to take notes of the Commissioners present.

>> MS. SALLY MARSH: Good afternoon, Commissioners.

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When I call your name, please unmute yourself and indicate where you are attending the meeting remotely from.

Doug Clark.

>> COMMISSIONER CLARK: I'm present and I'm attending the meeting remotely from Rochester Hills, Michigan.

>> MS. SALLY MARSH: Juanita Curry.

>> COMMISSIONER CURRY: Present, and I am remotely attending the meeting from Detroit, Michigan.

>> MS. SALLY MARSH: Brittini Kellom?

Rhonda Lange.

>> COMMISSIONER LANGE: Present; attending remotely from Reed City, Michigan.

>> MS. SALLY MARSH: Anthony Eid?

Steve.

>> COMMISSIONER LETT: Present; attending from Lee County, Florida.

>> MS. SALLY MARSH: Cynthia Orton.

>> COMMISSIONER ORTON: Present, attending remotely from Iowa County, Iowa.

>> MS. SALLY MARSH: Thanks, Cynthia.

MC Rothhorn.

>> COMMISSIONER ROTHORN: Present; remotely attending from Lansing, Michigan.

>> MS. SALLY MARSH: Rebecca Szetela.

>> VICE CHAIR SZETELA: Present; attending remotely from Wayne, County Michigan.

>> MS. SALLY MARSH: Janice Vallette.

>> COMMISSIONER VALLETTE: Present; attending remotely from Highland, Michigan.

>> MS. SALLY MARSH: Erin Wagner.

>> COMMISSIONER WAGNER: Present; attending remotely from Eaton County, Michigan.

>> MS. SALLY MARSH: Richard Weiss.

>> COMMISSIONER WEISS: Present; attending remotely from Saginaw, Michigan.

>> MS. SALLY MARSH: Dustin Witjes.

>> COMMISSIONER WITJES: Present; and I am attending from Ypsilanti, Michigan.

>> MS. SALLY MARSH: There are 11 of 13 Commissioners present. There is a quorum.

>> VICE CHAIR SZETELA: Thank you, Sally. You can see the agenda at redistricting.michigan.org.

I would now entertain a motion to approve the meeting agenda.

>> COMMISSIONER LETT: So moved.

>> VICE CHAIR SZETELA: A motion made by Commissioner Lett.

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>> COMMISSION WITJES: Second.

>> VICE CHAIR SZETELA: Motion made by Commissioner Lett, seconded by Commissioner Witjes. Motion is moved and seconded in favor of adopting the agenda. All in favor please raise your hand to so indicate.

And all opposed same sign.

Okay, the motion carries.

Motion is adopted and the agenda is adopted.

All right. Thank you.

We will now review and approve the meeting minutes from the last meeting.

Now, we actually have two sets of meeting minutes today, so let's start with April 15th first. So are there any edits to the April 15th meeting minutes?

Okay, seeing none, I would entertain a motion to approve the April 15, 2021 meeting minutes.

>> COMMISSIONER LETT: So moved.

>> VICE CHAIR SZETELA: We have a motion by Commissioner Lett. Do I have a second?

I see a second by Commissioner Curry.

All in favor please raise your hand to so indicate.

All in favor of adopting the April 15th meeting minutes.

All opposed same sign.

Okay, the motion carries. So the meeting minutes from April 15th are adopted.

Let's move on to the April 16th meeting minutes.

Are there any edits proposed to the April 16th meeting minutes?

Okay, seeing none I would entertain a motion to approve the meeting minutes from the April 16th. MC, is that your motion?

I have a motion from Commissioner Rothhorn and I have a second by Commissioner Clark to approve the meeting minutes from April 16, 2021.

All in favor of approving the meeting minutes, please raise your hand to so indicate.

All opposed same sign.

Okay. Once again, the motion carries the meeting minutes from April 16th, 2021 are adopted.

All right. Moving on to the next item on our agenda is public comment.

It's my understanding we do not have any -- I'm sorry, we do have public comment today.

A few notes about public comment for those of you who are joining us for the first time.

Because this is a virtual meeting, members of the public had to sign up in advance to address the Commission.

Staff at the Department of State will unmute each member of the public for up to two minutes on a first come, first serve basis.

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This means members of the public will be called on in order to address the Commission. To those members of the public participating in public comment, please note you will have no more than two minutes to address the Commission this afternoon.

You can submit your thoughts to the Commission and the public by e-mailing at redistricting@Michigan.gov. The Department of State will provide your written thoughts to the Commission. By indicating in that e-mail that you would like to submit your written comment as public comment, it will be included in the online meeting archive for the Commission.

Public sign up links are also posted on redistricting Michigan social media pages at Facebook and Twitter at redistricting MI.

Now I would like to recognize Sally Marsh, Michigan Department of State, Director of Special Projects, who will call on members of the public to address the Commission.

>> MS. SALLY MARSH: Thank you, Commissioner Szetela. Individuals who have signed up and indicated they would like to provide live public comment to the Commission will now be allowed to do so.

As a reminder, after I call your name, your screen will change and you will rejoin the meeting as a presenter.

Then you will need to turn your sound and video on before you make live public comments.

If we unmute you and you have some issues, whether audio or otherwise, we will move on to the next person in line and try to come back to you. And if that audio still doesn't work at that point or you are still experiencing technical issues, you can e-mail the Commission at redistricting@Michigan.gov and we can help you trouble shoot for the future.

So first in line to provide public comment is Marjorie -- and I apologize in advance if I mispronounce anyone's name, Marjorie Sarbaw Thompson. And please allow a moment for our staff to unmute you.

Please unmute yourself.

Thank you. You have two minutes.

>> MS. THOMPSON: Okay. Thank you.

I'm writing about an issue that is often called the prison gerrymander.

It involves the way that the census collects data about people who are incarcerated.

It lists the prison as their address.

And given the nature of the crime patterns in the State of Michigan an awful lot of those people who are incarcerated are from urban areas of the state but yet the prisons are located in rural areas of the state.

So by counting those people as living in rural areas, it artificially inflates the population in rural districts and it deflates the population in urban districts.

So it's sort of an urban rural kind of equity.

I provided written testimony that has a map that shows the effect of this.

There are two Congressional districts in the State of Michigan that have seven prisons in each of those districts.

There are a total of 18 prisons out of the state, so you can see that a huge percentage of the people who are incarcerated are actually being allocated to two districts, one of them is the first district, which is the Congressional district which is the Upper Peninsula.

The other is the 7th which is down in along the Indiana border in the middle of the state. Both of those are very rural districts.

And roughly half of the prisoners in our correctional system come from Wayne Oakland and Macomb counties so it's a very urban population being moved to another part of the state.

The maps that I provide give you a little bit of sense of that.

The written letter that I submitted also points out how this sort of tallies up the beds in these different correctional facilities so you get a sense of how many people are being moved around.

It's the case for State House districts with Senate districts and for Congressional districts.

>> MS. SALLY MARSH: Thank you.

Please conclude your statement.

Your two minutes has elapsed and thank you for addressing the Commission.

>> Thank you.

>> MS. SALLY MARSH: Next in line to provide public comment is Dale Milford.

Please allow a moment for the staff to unmute you.

Mr. Milford, please turn on your camera. You may begin.

>> MR. MILFORD: Good afternoon.

Hi, my name is Dale Milford. I'm a pastor in the Farmington Hills area in the United Methodist Church. And I've learned I have the privilege of living in a district that is nationally famous, as one of the top ten most gerrymandered Congressional districts in the whole country,

And that is District 14.

Now, I'm no political, so I did not find this out by being part of any political action group.

I was at a PTA meeting a few years ago and we were talking about how, okay, let's talk to our Congressman or woman as the case may be.

And here I am in the same school district only to discover that someone like a surgeon doing an appendectomy had parceled out the town of Farmington, if you can see on the map behind me, that little dot up there, pulled that out so out of our school district so that the accompanying district, I think it's District 11, could get their -- I've since learned the most fascinating things about the Cook partisan voting index, brought District 11 up to our plus two. Whereas, before it was leaning in the direction of democrats. And by

virtue of this they were able to hold onto that seat for the next eight years until the last, the previous election.

So it just occurred to me that this is so counterculture to what this country was based on, wrecked by population. Instead of getting away from the feastdom of the barons of Britain and to the land barons of Europe. And it recalled to my mind we had fallen prey to that and become nationally infamous for having done just that kind of thing. Doing a little bit more, I would leave by saying I was especially taken aback by a piece of e-mail.

>> MS. SALLY MARSH: Thank you your two minutes has concluded.

>> I said as much as I can.

Thank you very much for your time.

>> MS. SALLY MARSH: Thank you for addressing the Commission.

>> VICE CHAIR SZETELA: Before we move on to the next public comment, I noted that Commissioner Eid has joined us so if he can let us know where he is attending remotely from, I would appreciate it.

>> COMMISSIONER EID: My apologies with Internet connectivity issue and I'm attending from Ann Arbor today.

>> MS. SALLY MARSH: Our final participant for today and please allow a moment for our staff to unmute you.

You have two minutes excuse me we are unable to hear you.

>> Can you hear me now?

>> MS. SALLY MARSH: Faintly if you can please talk louder.

>> So can you hear me better.

>> MS. SALLY MARSH: Yes, even louder would be fantastic but go ahead two minutes.

>> My name is Guana and I've been to Michigan I've been to Detroit once and you know when we talk about redistricting and gerrymandering and I just want to make sure it's going to help the people of Michigan, you know, since as you know a lot of things are going on you know in Michigan.

There is the problem of the water in Flint, Michigan.

There is Detroit.

You know that has been abandon.

And there are great parcels in the State of Michigan that have been left behind so when we talk about redistricting and all the political stuff you know whether it's democrat or republican it's really not important.

What's important is you know the people and the people of Michigan cannot be left behind and forgot so I just want to make sure that has it goes on and everything is happening that the people of Michigan are really taken care of in this process.

Thank you so much.

>> MS. SALLY MARSH: Thank you for addressing the Commission.

That concludes public comment this afternoon.

>> VICE CHAIR SZETELA: Thank you.

Executive Director Hammersmith do we have any correspondence we need to address?

>> MS. SUANN HAMMERSMITH: Not at this time.

>> VICE CHAIR SZETELA: Okay may we have the Executive Director's report?

>> MS. SUANN HAMMERSMITH: You certainly may.

I just muted myself in between.

Good afternoon Commissioners.

I wanted to give another update on our negotiations with consultants.

So the VRA legal counsel contract with Federal compliance consulting is ready to go out.

The mapping contract with EDS is almost finalized and we hope to get that resolved this week.

And then after the contracts are extended, there is a five-day period where there is a notice of intent to award posted.

And the other bidders who have bid on these contracts can make objections.

If they don't, the signed contract goes into effect five days later.

So there is a really good possibility that both of these contracts will be in effect by the time we meet next week.

Other than agenda items that's all I have today so I'm going to move to our ice breaker.

And that question is what must your work environment have to make you feel engaged and contributing?

And I'm going to start with Steve today.

>> COMMISSIONER LETT: I don't exactly know but I can tell you what I had for my entire career that is a nice reclining Chair in front or in back of a desk that clients in front of me I talk to.

So I guess that's what I at least am used to.

>> MS. SUANN HAMMERSMITH: Okay comfy chairs are important.

How about you MC?

>> COMMISSIONER ROTHORN: My work environment with my as it's you know it's office work and so emergency chocolate drawer has been very important for those emergencies that do arise.

>> MS. SUANN HAMMERSMITH: Okay, that sounds pretty good to me.

Commissioner Szetela how about you?

>> VICE CHAIR SZETELA: Yeah, I feel this is a tough one but I would say just feeling like my bosses are listening to kind of the rank and file and people who are working there because I think that ability to have feedback is useful in any office. It makes you feel like you belong.

>> MS. SUANN HAMMERSMITH: Makes for a good environment yes how about Commissioner Vallette?

>> COMMISSIONER VALLETTE: Well, I'm going to go along with Steve and it's a good Chair.

>> MS. SUANN HAMMERSMITH: Okay, Commissioner Wagner.

>> COMMISSIONER WAGNER: Peace, knowing my purpose and my world here and achieving progress I think would make me feel engaged and productive.

>> MS. SUANN HAMMERSMITH: I have to agree with that.

Commissioner Weiss?

>> COMMISSIONER WEISS: I guess I would like hopefully a neat, clean area, all the tools or equipment needed to do the job and have the ability to do what I need to do.

>> MS. SUANN HAMMERSMITH: All important, all important, yes.

How about Commissioner Witjes?

>> COMMISSIONER WITJES: I'd say a team of people that have your back basically no matter what.

Open communication.

So if you need help, they would be willing to help you and they will be able to help them if they ask for it as well.

>> MS. SUANN HAMMERSMITH: Teamwork is important.

That's for sure.

Commissioner Clark?

COMMISSIONER CLARK: Yes, I looked at it from a work perspective and to me what makes me feel engaged and contributing is a challenging environment.

The work is challenging itself rather than mundane and day-to-day.

>> MS. SUANN HAMMERSMITH: Okay that sounds like you.

Commissioner Curry?

>> COMMISSIONER CURRY: I kind of thought that maybe a good Chair and to be able to have the ability to work this computer when it wants to mess up so I can get everybody, hear everything and be able to work it if it messes up.

>> MS. SUANN HAMMERSMITH: Technology is great when it works, isn't it?

>> COMMISSIONER CURRY: Yes.

>> MS. SUANN HAMMERSMITH: Commissioner Eid?

>> COMMISSIONER EID: This is a good question and for me I think just as simple as whatever organization I'm with at any particular time I think there needs to be buy in from the top to bottom of all the members of the organization for whatever goals that we have.

>> MS. SUANN HAMMERSMITH: That is important.

I'm going to move on to Edward.

>> MR. EDWARD WOODS: Thanks Sue.

For me I would like to have a place that appreciates heterogenous thinking versus homogeneous.

>> MS. SUANN HAMMERSMITH: I think we are getting that result here Julianne how about you?

>> MS. JULIANNE PASTULA: Good afternoon Commissioners it's good to see everyone I would say for my answer it would be a collaborative environment where you can discuss and discuss the work and also good lighting. I do a lot of reading so the lighting is very important.

>> MS. SUANN HAMMERSMITH: Okay, yeah, that is important. Especially for over 40 eyes which some of us have, not all. And I would say purpose and passion for the mission. That's what I need.

I need a purpose and those goals to work towards.

I know we have a great team and we are all working together and I thank the Commission for acting in that direction.

So back to you Commissioner Szetela to move on with the agenda.

>> VICE CHAIR SZETELA: Thank you very much, does the Department of State have a report?

Looks like we have some updates today.

>> MS. SALLY MARSH: Good afternoon everybody. I do have an update today.

And so I want to briefly update you on the public comment online portal that we have been talking about for several months now.

You know, as you know we started to procure and develop an online portal where members of the public could submit their comments to you, whether maps or written comments and it will be ready to go before your public hearings start in May.

So it will be ready in early May.

And as a refresher just on some of the key elements, it will allow members of the public to submit their comments sort of all in one place to you and allow for the export of both individual files and summary of multiple files within a given timeframe or of a given location.

And so I'm here today to provide an update.

I'm going to show you the progress so far.

Answer any questions you have and get any feedback that you all have before it really reaches its final stages and is ready to be provided to you all and to the public.

And so I want to say again the very major caveat that what I'm about to show you is not a finished product.

Certainly not a finished product.

But it's still in development which is partially why I wanted to show it to you today to see if you had any questions or pieces of feedback for us.

All the finer details are still being worked on.

But I wanted to help you visualize it and sort of show you the progress that is being made.

And so as you can see on your screen here Moon D, the Executive Director of MGGG. You met her before, the nonpartisan organization out of Tufts University developing the portal for us with a team of tech developers is also here today to answer any questions that you might have that I'm not able to speak to.

So with that if you just give me a minute to do a screen share here, we will get moving.

All right can you see it?

Great.

>> VICE CHAIR SZETELA: Yes.

>> MS. SALLY MARSH: Thanks, Commissioner.

So here is really again sort of an initial landing page providing a welcome to people and providing them some more information about what written testimony might be or what a districting plan is or what a community of interest is.

If someone wants to actually submit that public comment they would just scroll down and have a couple of different options.

So they could map a community of interest right and could draw one for all of you and submit that.

They could also do a District.

Either a complete or a partial District map.

And clicking on those links I'll show you what happens with that in a second.

But once they you know let's say they either already have their map or they have got written comment they would like to provide to all of you which is what we are sort of used to so far, they will keep going on to this submission part of the portal.

And the couple of key things here they can provide their own title as you can see it's able to accept many different file types and links.

So community of interest, districting plan, written testimony, another link from another website which we know people are going to be using, right, you know there are several different places people can either write or draw on maps.

Uploading a file, so people who do shape files or have other files PDFs maybe they would like to provide to all of you can upload that file and then also comment on another submission as well which will be that tag.

This is sort of I'll explain this sort of adding tags to the submission in a second but in addition you know people can as they do now fill in whatever information they would like to about who they are when providing this public comment to all of you.

Then this is the part that I think is exciting for all of you and for the public as well is to be able to see in real time any submission of public comment.

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This view is still being adapted by essential kind of key points about this are that you can scroll and see in a card view sort of a picture of oh, that is about where this map is about.

I'm interested this looking at that region.

Let me click there.

Or it will indicate that it's written testimony.

And then these tags sort of like hash tags allow people to self-identify key characteristics or key areas their map is speaking to.

So for example if you tagged West Michigan, you could then when searching actually search by, you know, by a tag for example and if there was a tag that, you know, was used by a map with that tag it would show up.

So I will try UP here.

So there is Bob's District map.

He submitted something about the UP.

You can actually click on that and you would be able to see more information, again, still in development but you will be able to see more information both about the submission itself here on the side and then anything else this person wrote and then if someone wants to submit a comment on that map you would see those here.

So all in kind of one place for each submission.

You can also see and list view.

I'm going to unfilter.

Hopefully there will be many members of the public who submit to all of you.

So a list view will hopefully be helpful in looking at many at once.

The other sort of sorting elements there.

But those are really the key pieces that I wanted to kind of let you all know.

When we go back up here just to show you what would happen on if someone wants to -- if someone comes here to actually draw a map, if you click on this button or click on this button it will generate into the same kind of format that you all have are actually familiar with because you have used Districter sort of outside of this public comment portal yourself and people can then draw and create any information and then this sort of share button up here would then redirect the individual to the submission portal as an option so that they can then share that with all of you.

So I'm going to stop talking, see if you have any questions or big pieces of feedback but again just wanted to show you the progress and assure you that we will have it ready in time for your public hearings.

>> VICE CHAIR SZETELA: Okay I think that looks great.

Are there any comments, concerns Commissioner Lange?

>> COMMISSIONER LANGE: Just want verification, Sally.

So the scope of the program is specifically to collect public comment, maps et cetera, right?

That's the entire scope?

>> MS. SALLY MARSH: Correct.

So as you will recall that statement of work that we shared with all of you, I'm not sure the exact month off the top of my head, maybe in February or in March that really just talked about you know anticipating as your secretary, as the secretary of the Commission anticipating the hopefully high volume you will have and you have already had a public comments just having one place that you all can direct members of the public to for many different types of comment they might want to provide you whether written testimony, much of which you have already received, right, in e-mail format so a place to put that so that we don't have to do the sort of manual transfer process we have been doing to date and also a place where if someone wants to draw their community and submit it to all of you with corresponding information and details they can then submit it to all of you in this and it's all kind of there together.

So does that answer your question?

>> COMMISSIONER LANGE: It does, thank you.

>> MS. SALLY MARSH: Great.

>> VICE CHAIR SZETELA: Any other comments?

Commissioner Clark?

COMMISSIONER CLARK: Yes, I have a number of questions.

I really like what I just saw, Sally.

I think it's what we are looking for.

So here is one question with tags.

Are the tags going to be static, something we develop or are they going to be something that the end users can also add too?

>> MS. SALLY MARSH: I'm so glad you mentioned that I neglected to mention it.

It's something that individuals can create themselves, sort of very similar to a hash tag on social media for example.

So if I wanted to say you know, I'm this is a community of interest in Grand Rapids and I wanted to tag it in Grand Rapids, if Grand Rapids didn't already exist as a tag, it would just create a tag for Grand Rapids and I would be the first person to create that tag.

>> COMMISSIONER CLARK: Okay, secondly, what I would like to see particularly with the maps is a tag on whether it's going to be a Congressional map, state legislature map or State Senate map.

I don't know if that is in the plans but I think it's significant for us doing research.

>> MS. SALLY MARSH: Absolutely.

And I don't know Moon D if you wanted to speak to that or the previous question.

>> Moon: We are planning to have the cards tell you which kind of map it is for one thing and also to the tag question from a moment ago subject to a list of you know words and strings that we are going to block because we anticipate the possibility of some problems as you heard adding tags that you makeup yourself is something that

we thought could be you know kind of a bottom up way that people communicate with you.

One other feature we have in there now and that we are working on developing is secondary tags we think one way people might interact with other people's map submissions is to view them and add a tag to make them easier to find when you are thinking about maps and intend the tagging to be pretty organic and sort of let themes emerge through tagging.

>> COMMISSIONER CLARK: Is there going to be you know as a user am I going to be able to go to someplace in the system and see what the existing tags are?

>> MS. SALLY MARSH: Go ahead.

>> Moon: The way it's set up now there is a list of suggested tags already. But as tags get added, yes, it will be possible to search.

First of all you will be able to search the tags that have been added.

Secondly you will be able to search the submissions not only by tag but also by their written content.

>> COMMISSIONER CLARK: Okay, great.

The other thing, I think this relates to something you were referring to, Sally, the existing comments we've gotten so far are they going to be automatically loaded into the database?

>> MS. SALLY MARSH: We do not have plans to do that at the moment because all of those comments are already on your website, that is something you know, if as a Commission you wanted us to do, we could try to figure out a way to do that in a comprehensive way.

But especially moving forward we will certainly be using this.

And then, you know, we can have a dialog around the past if you would like.

>> COMMISSIONER CLARK: Okay, and when we go to public hearings and somebody gets up and speaks and gives their comments how does that get loaded in?

>> MS. SALLY MARSH: So and I will start answering this and then you know of course your general counsel or Executive Director are welcome to jump in.

So this tool is for written comments of a whole variety of types, right, so it's maps, it's files, it's, you know, words that are written into the portal itself.

But it's not meant to capture the spoken comments that you all will receive in public comment as we do already or at public hearings.

So this is really about capturing that written record and making sure that it's accessible to all of you and to the public in real time.

>> COMMISSIONER CLARK: Okay, well when we get into some of the other agenda topics, we will address how we are going to capture that data and retain it somehow.

Okay, appreciate it.

I yield back.

>> VICE CHAIR SZETELA: All right, thank you.

Are there any other comments?

Julianne, I see you have your hand up.

>> MS. JULIANNE PASTULA: I do and I apologize.

I'm getting the raise hand button today.

I haven't had a chance to do that yet so thank you Madam Chair for letting me be old-fashioned.

To respond to Commissioner Clark's inquiry and build on what Ms. Marsh is stating, the what we are encouraging the people who provide live public comment which is a critical piece of testimony for the Commission is to capture that in the portal themselves.

That way no staff members from either the MICRC or MDOS are interpreting or shortening or putting any additions or deletions on what that individual was intending to convey to the Commission.

So the public comment and the ability to interact verbally with the Commission is just a key proponent of receiving public comment but we would definitely be encouraging those individuals to submit that through the tool as well.

Hopefully that is responsive.

>> VICE CHAIR SZETELA: Commissioner Witjes?

>> COMMISSIONER WITJES: So I just went through and looked on Districter, I was trying to figure out how to use button so on and so forth and the information there isn't that good.

So my suggestion would be even though individuals could technically find it in the YouTube records for a previous meetings on how to use.

My only suggestion would be like video of some sort that would show them how to use the panel on the right side.

Because that can get pretty nuisanced so but that is again that is just a suggestion.

>> MS. SALLY MARSH: Absolutely and I think you're under scoring a really important piece of this which is once this portal is ready to go and this is something that your staff and our team has been talking about as well as just that public education piece and making sure we have videos and explainers so absolutely and thanks for flagging.

>> VICE CHAIR SZETELA: Okay Commissioner Eid?

>> COMMISSIONER EID: Yeah, you know for the most part I think this looks amazing.

I just thank you for procuring this and putting it together.

I do have one question though are there any like security measures in place in the system?

Like let's say we get one person who wants to submit a thousand different identical maps or something, is there anything to prevent against that?

>> MS. SALLY MARSH: Yeah, I'm glad you asked that question.

It's one of the things that we've been working closely with the folks in our department who work on security issues and also tech issues for the department of technology, management and budget.

So from the beginning with our scope of work and in conversations and in dialog with Moon and her team really have been working to make sure that the security and the retention and kind of every aspect that we would go through for other, you know, state purchases that we are being consistent about those requirements, making sure it fits for your needs as well.

So there are security measures in place.

Happy to follow-up with more details, but it's something that has been on a priority from the beginning.

>> VICE CHAIR SZETELA: All right, any other comments?

All right seeing none thank you very much Sally for that update and we will move on to unfinished business, which is next on our agenda, we actually don't have any unfinished business so we will go to the first item of new business on the agenda which is MDOS process for receiving public comment, Sally Marsh.

>> MS. SALLY MARSH: Hello again everyone, I like how your staff normally is during the meetings popping in and out.

Anyway so I will start off.

I think with this discussion about the public comment especially at public hearings and the process and what your staff has been envisioning.

I will start and then, you know, the folks Julianne and Sue and Edward have also been working really hard on a lot of aspects of this with us.

So the memo that you received from the Department of State outlined sort of the processes for receiving public comment at public hearings.

And I'll just sort of briefly give an overview for members of the public and then really just want to answer any questions you have, see you know if the recommendations that are included in that memo sort of fit with your expectations as well.

And it's mentioned in the memo but just to reiterate this is really a culmination of many conversations that MDOS staffs has had with your team in trying to think through all of the different elements of this process.

So I'll just quickly talk through it if that works for all of you and then would love to answer or have a dialog about any questions or concerns that you all have.

So the first page of the memo and for members of the public this is available on the website, Michigan.gov/MICRC.

So it really just talks about the two main methods of public comment which is written and live commentary.

We've had those already to date.

But sort of outlines the fact that for in person public hearings there will also be the in-person capability to provide live commentary.

So that's really the major addition in terms of methods for providing public comment. And then at the public hearings of course written comment remains an important and relevant option for members of the public and as your general councilmen shunned anyone who participates in live comment especially talking about a map will be encouraged to provide written comment to you all.

But just to sort of talk through the live commentary piece in a bit more detail because it's really the crux of some of the recommendations in this memo to all of you.

Again sort of two methods.

Virtual live public comment and in person live public comment.

So the virtual live public comment would function very similarly to how we have been functioning in these virtual meetings so far.

The difference will be that you all are in person and the folks participating virtually are participating through a Zoom meeting virtually with all of you.

And there is details about that, happy to answer more questions there.

In person public comment you know, a couple of recommendations just to walk through about how that will interact with the virtual public comment.

So there is a recommendation that the -- that people who want to provide in-person public comment would be allowed to speak on a first come, first serve basis when they arrive at your public hearing venue.

So if they arrive at your public hearing venue and they sign up, they would be allowed to speak in the order that they arrive and they would be allowed to speak before any virtual commenters because, you know, just from a process perspective.

That cutoff time to sign up in person would be 8:00 p.m. on the day of the hearing.

So your hearings start at 6:00, two hours to still have people coming in and signing up and then after that point I would invite people to attend another hearing or submit their comments in writing.

And then also one of the recommendations here is that virtual public commenters will still need to sign up in advance.

There is more details on that in the memo but as a part of that sign up could also include an RSVP for in person attendants so that your staff can get a better estimate of the crowd size and make sure we are accommodating folks from an accessibility perspective.

And then when we talk about speaking order, again, as a rule, as we have been doing first come, first serve but allowing those in person folks to speak first.

And then administration, again, it would be the Department of State staff who would be doing as we do in the background the facilitation of the virtual comment with promoting people and that would all be in first come, first serve basis in the order people sign up and provided to all of you in sort of an excel spreadsheet.

So I will stop talking and see if you have any questions or feedback or comments from this memo.

But again just want to underscore it's a series of recommendations after talking through in detail with your team so I want to make sure we are all in alignment.

>> VICE CHAIR SZETELA: Thank you.

I actually have one question are we planning on putting a time limit on speaking time like we do for the virtual ones right now where we have that two minute time limit?

>> MS. SALLY MARSH: Yes absolutely.

I don't know if general counsel if you would like to speak to that question.

>> MS. JULIANNE PASTULA: Thank you Ms. Marsh.

Yes, Madam Chair. The two minute time limit is included in your rules however as we discussed in the past the Commission has the ability to modify that as long as it's consistently applied.

>> VICE CHAIR SZETELA: Applied?

>> MS. JULIANNE PASTULA: Correct.

>> VICE CHAIR SZETELA: All right, Commissioner Clark and then MC.

>> COMMISSIONER CLARK: Go ahead MC.

>> COMMISSIONER ROTHORN: I love this.

I think this is getting to where we need to go.

This is great.

I'm wondering about two things, Sally.

First is the idea of accommodation and accommodating individuals in particular.

Is it possible or even allowed to sort of request an accommodation in the sense of you don't arrive early enough to sort of get in person but that you know that you need to be earlier so the idea like we would accommodate people who have who demonstrate a need and, again, demonstrate an accommodation or a need for accommodation which might include an earlier time slot, right, so essentially jumping the line and there is a part of me, yeah, it feels hard to administer so I'm really asking the question about if that is even possible to administer.

>> MS. SALLY MARSH: You know, I would welcome your staff to jump in on this but it would be really difficult to administer.

I mean part of sort of the intention behind talking through all of this with you now and all of the documents you have to discuss today regarding public comment is to be really clear about the expectations to the public so that the public knows what to expect.

So a big value to the first come, first serve assigning people numbers, very virtual participants sign up in advance so we can provide them an estimate where they are in line for virtual comment is part of the value there is communicating to the public what to expect so that people can participate meaningfully with all of you.

And so things that would adjust that would be I think complicated both from an administrative perspective and communication with members of the public.

>> COMMISSIONER ROTHORN: Thank you and the only other comment I have or thought there was an RSVP potentially we can have people RSVP or could receive an e-mail reminder, I'm wondering if texting may also be an option if a text message.

>> MS. SALLY MARSH: What I will say in terms of text messaging is that, that often involves additional software and costs and capabilities in order to mass text people. Your team and our team already have the infrastructure to do e-mail reminders. And so that's why that is what is included here.

>> COMMISSIONER ROTHORN: Understood.

Thank you.

>> MS. SALLY MARSH: I see your Executive Director.

>> VICE CHAIR SZETELA: Go ahead Executive Director Hammersmith.

>> MS. SUANN HAMMERSMITH: I just wanted to say on the issue of jumping the line per se one of the things that we saw from our market research survey last week was the people who responded to the survey want fairness and I think that is a really important principle to live, that we want to be fair. And if the rules we created are clear and people understand they will be invited to speak in the order in which they arrive and sign in, I think that's the best way to go so there is no confusion. And because you can't make judgments about who might get to go earlier than another person.

We want to be fair and we want to be fair to everyone.

So that would be my comment in that area.

>> VICE CHAIR SZETELA: There is also nothing stopping people from having those discussions themselves.

So maybe someone signs in and they are number 12 and see a bunch of people in front of them and nothing would prevent does someone mind if I jump in line in front of you. That happens all the time in ladies' rooms I can tell you that so I think the public can handle this themselves if there is some sort of pressing reason someone needs to leave, I think we can trust people to handle that themselves.

Go ahead Commissioner Clark.

>> COMMISSIONER CLARK: Yeah, I have two comments. And both subjects have been brought up. But I want to talk about the one that Sue just talked about, about jumping the line.

I think we should give some consideration to people who have a physical disability. Particularly if we can't get them all into the building and have to have people stay outside because of health restrictions.

I think that should be a prime consideration as we move forward.

And then the second thing that I have to mention is Rebecca asked about the amount of time an individual had.

I've also read in some of the future documents that we are going to see today that we may give additional time to people that talk as a group.

And you know as the point of view of a given group and give them additional time so I don't know if that has been determined if we would do that or not at this point.

So, Sue.

>> VICE CHAIR SZETELA: Go ahead, Sue.

>> MS. SUANN HAMMERSMITH: Briefly if we offer group presentations, we would do it in a different timeframe and it would be group presentations for groups that you know maybe they have the whole State of Michigan map and imagine trying to explain that in two minutes or less.

And it really needs to be in written on the portal.

But there are groups with common interests, with communities of interest where it may be beneficial for them to have a little extra time.

And we learn some about this from the California people.

They set aside two full days to take in this kind of comment.

So we are just trying to think through that right now and trying to get the basics of the public hearing and individuals coming in but we are talk about it and have been talking about it and we will think through a process for groups to come meet with us.

>> COMMISSIONER CLARK: What is your thoughts about physical disabilities people with physical disabilities?

>> MS. SUANN HAMMERSMITH: I think that is better answered by Edward.

We had some conversation about for example, if the sign language person is on a screen like we are looking at there may be some assigned seating that could be closer to the screen for people who have those kinds of needs.

So and also translation, you will find that in the next policy that we are going to talk about so and Edward may have something to add here.

>> COMMISSIONER CLARK: Thank you.

>> MR. EDWARD WOODS: Thank you, Sue, the way they are working with MDOS staff the screen on the left will be the one that we will have that will have the sign interpretation.

It will also have the closed caption and reserved seating and the screen on the right will be dealing with the PowerPoint and video reinforcement the Commissioner will have monitors.

The one on the left will mirror the one that has the MDOS Zoom and then the one on the right will mirror the one that has the video reinforcement and the presentation that's being given in the room.

If there are any other feedback or questions I can help at this time.

>> VICE CHAIR SZETELA: No, thank you Edward.

Commissioner Lange?

>> COMMISSIONER LANGE: Sally, can you tell me for the public that does the virtual live public comment, how far in advance can they sign up?

It says they have until Noon that day to actually do it.

But when can they start signing up for it?

>> MS. SALLY MARSH: Great question, Commissioner Lange.

So the sign up link would be included in the public meeting notice for every meeting. And also posted to social media.

And those are required to be posted at least 18 hours in advance of the meeting but your staff and the Department of State we like to try to get those out several days in advance to be far and above the Open Meetings Act requirements.

So it would be, you know, well in advance at least 18 hours but you know, more on a regular basis.

And our current schedule outlines several dates about a week in advance.

>> COMMISSIONER LANGE: Okay, thank you.

>> VICE CHAIR SZETELA: All right, any other comments?

All right so Sally are you -- you are continuing to work on this document?

At this point?

>> MS. SALLY MARSH: If the Commission is in agreement with the recommendations in this document, that will be helpful for our team and your staff, you know, sort of our collective staff team to note so we can make plans according to those recommendations for each of these hearings.

>> VICE CHAIR SZETELA: Okay, so you're looking for I mean are we looking for a vote here that we are authorizing you to proceed with that?

I'm trying to understand what you would like from us at this point.

We have seen the memo, I had comments, I'm just trying to understand and Julianne feel free to weigh this and help.

>> MS. JULIANNE PASTULA: Thank you.

I'm having issues today.

So the -- I think the thought is that the Commission would be presented with all this information and if amends or updates are needed to be made to these draft documents that the staff would go ahead and undertake that.

>> VICE CHAIR SZETELA: Okay.

>> MS. JULIANNE PASTULA: So today for the purpose of discussing.

>> VICE CHAIR SZETELA: Thank you for that clarification, I saw Commissioner Eid raise his hand do you still have a comment?

>> COMMISSIONER EID: Yeah, I mean I think that most of us are in agreement that a good policy is the only thing I heard is that we may possibly make amendment regarding people with disabilities.

So how about we talk about that issue real quick and then we can go from there and approve the whole thing.

>> VICE CHAIR SZETELA: Okay Commissioner Lett, did you still have a comment? You're on mute, Steve.

>> COMMISSIONER LETT: I was just going to move that we adopt this method and process to move forward with the public hearings.

>> VICE CHAIR SZETELA: I see a motion by Commissioner Lett and a second by Commissioner Rothhorn. Do we want to entertain any changes to it as proposed by Commissioner Eid or do we just want to go ahead and vote on it at this time? I mean, I don't think it's locked into stone if they want to make changes with respect to disability access.

Commissioner Lett?

>> COMMISSIONER LETT: I was just making the motion to move it along so that if we need to perfect it, we can come back and do that.

>> VICE CHAIR SZETELA: Yes, I agree. All right. Let's go ahead and move forward. So we have a motion on the table from Commissioner Lett, seconded by MC Rothhorn with respect to the April 21st, 2021 memorandum regarding methods and process for receiving public comment at public hearing. All in favor of adopting that memo and its recommendations, please indicate by raising your hand.

All opposed same sign.

I believe the motion carries.

Doug, you're opposed?

COMMISSIONER CLARK: Yes.

>> VICE CHAIR SZETELA: Doug and Anthony opposed, so we adopted the memorandum. Do you want to move on to the next item, which is the Commissioners' roles in the public comment process?

>> MS. SUANN HAMMERSMITH: I'm ready if you are ready.

>> VICE CHAIR SZETELA: Go ahead.

>> MS. SUANN HAMMERSMITH: I see Julianne's hand.

>> VICE CHAIR SZETELA: Go ahead.

>> MS. JULIANNE PASTULA: I wanted to highlight as to the disability question, I'm happy to research that and bring that back to the Commission on -- I'm very clear on the accessibility and accommodation guidelines. But as to I know we are casually speaking about jumping line, but for some accommodation as to order of speaking, I'll need to bring that information back to the Commission.

I just wanted to note that for the body.

>> VICE CHAIR SZETELA: Thank you.

All right go ahead Executive Director.

>> MS. SUANN HAMMERSMITH: I would also add that the last bullet point on our next document does address that a little bit.

But we are going to talk a bit about Commissioner engagement with individuals making public comment so that's the next document you were provided.

>> VICE CHAIR SZETELA: Uh-huh.

>> MS. SUANN HAMMERSMITH: When we looked at the MDOS rules for the public comment, it seemed to be from the speakers side versus from the Commission side so we wanted to make sure that the Commissioners had a clear picture of their role in the public hearings.

So first of all, is the definition of public hearings for the public watching, Commissioners all know this but for the public watching there are three purposes for the public hearings and they are to inform the public about the redistricting process, share the purpose and responsibilities of the Commission, and then solicit information from the public about potential redistricting plans.

So that's our purpose.

The Commissioners have adopted their code of conduct, their core competencies, their core values.

You know, those are your values to live by.

And you are doing that, so we appreciate that from the Commission.

And we expect that that will continue to happen in the public hearings.

The Chair will be the entry point for speakers.

So the Chair will call on people.

All the Commissioners will be provided scripts.

Commissioners will be provided lists of people who are making comment so we will give you the tools that you need in order to be leading the public hearings.

But the most important thing I think is this is a listening tour.

I mean, really your goal is to listen to the public comment, take notes if you need to take notes to remember things that have been expressed.

As Julianne said earlier to encourage people to engage in using the mapping tool.

Somebody can come to you and describe their community of interest eloquently but if you don't know where it is it's not going to help you in the mapping.

So really the reason to engage in communication with somebody would be to make that very clear that well thank you for sharing that but we need to know exactly on the map where you are talking and probably the best way would be to use that public comment tool that Sally just talked about.

And also there is a paragraph on the groups making presentations, but we are going to propose a solution for that.

What we are thinking is rather than 20 or 25 people coming through a public hearing and saying very similar things, if they are a group, community of interest they might be better served by making a group presentation.

So we are thinking through that.

But one of the things that we need to think through is one comment is just as important as 15 on the same thing or should be probably or maybe it's a value judgment.

So we will work on decision making processes going forward.

So we can better incorporate public comment into your mapping process.

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So any questions on this document?

>> VICE CHAIR SZETELA: Go ahead Commissioner Lange.

>> COMMISSIONER LANGE: Sue, did we pass procedures before that stated that any member of the Commission, if somebody was being unruly could call up whatever it is for that?

>> MS. SUANN HAMMERSMITH: Julianne is going to talk about that.

Yeah.

She will catch that on the next document about the rules and how that applies to the people making comment.

>> VICE CHAIR SZETELA: There was a rule I think in the procedure, Rhonda on that point about people who are being unruly but we will let Julianne clarify that.

Any other comments?

If there are no comments, can I get a motion to adopt the Commissioner engagement with individuals making public comment form.

Commissioner Lett has moved can I get a second?

Is that you Dustin?

>> COMMISSIONER WITJES:

>> VICE CHAIR SZETELA: Seconded by Commissioner Eid. So we have a motion by Commissioner Lett and seconded by Commissioner Eid to adopt the Commissioner engagement with individuals making public comment memo that was submitted to the Commission for recommendation. All in favor please raise your hand to so indicate.

And all opposed same sign.

The motion carries.

The memo is adopted.

Thank you, everyone.

All right, let's move on to our next item, which is the MICRC public comment guidelines.

>> MS. SUANN HAMMERSMITH: And this is Julianne's to take, Julianne.

>> MS. JULIANNE PASTULA: Thank you, Madam Chair and Executive Director.

Let me share my screen.

Thank you.

We are going to cover the live public comment lines that are before you.

This draft document notes the MICRC is committing to inviting wide public participation in this process across the State of Michigan.

It notes all MICRC meetings which include public hearings are defined as meetings under our rules are live streamed and include the opportunity to provide public comment.

We also included subsection 11 reminder which will be helpful for our members of the public that are new to the process and new to our discussions.

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So again the reminder for that is it prohibits MICRC Commissioner, staff, consultants, attorneys from discussing redistricting matters with members of the public that are not in writing or that they must take place at an open meeting.

So there are two exceptions to that prohibition.

One is that the comments be provided in writing or the second that the comments be orally provided at during a public comment in an open meeting.

So that is the focus here.

Let's get to the guidelines.

These guidelines track the MICRC rules, your procedures as well as the current public comment process.

The highlights, again, and we have gone through this beginning with Ms. Marsh's presentation and Executive Director highlighted some of these as well.

Comments may be provided in person or remotely, remotely is to accommodate both virtual by the computer or via telephone.

They will occur on a first come first serve basis.

I like to note again Commissioner Clark's request for the research on the accommodation.

All speakers will be allowed the same amount of speaking time.

This can be adjusted by the Commission at the beginning of the meeting.

Before the start of the public comment period.

Speakers cannot yield time to another speaker or designate a proxy.

Due to the pandemic seating maybe limited so going back to encouraging individuals to arrive early.

There may be capacity limits so people might need to wait outside of the venue and be prepared to do so, so we just can wanted to encourage again everybody to arrive early and if possible, RSVP.

Which does not guaranty a speaking cue but it gives the Commission and their staff an idea of the amount of public comment that will be forthcoming.

The guidelines also provide safety and civility guideline as well as reinforce our commitment to accessibility.

The civility guidelines again track the rules of procedure as far as de quorum and civility both between the speakers and the Commission.

And I believe Commissioner Lange was referencing the de quorum between Commissioners as well as the speakers and the Commission.

Those are both up lifted in your rules.

The safety guidelines again we note temperature checks that are required by venues or local health orders may be required.

And I have an amendment to the bullet point, it's the second bullet point on page two.

I think during our editing some verbiage got deleted and should read the current language is no banner, signs, blow horns or similar devices.

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The language should read no oversized banners or signs comma blow horns so I would like to note that change for the Commission as well.

And that was concluding my -- the comments, my summary of the document and I'm available to answer any questions.

>> VICE CHAIR SZETELA: I'm sorry Sue, go ahead I saw you had a hand up.

>> MS. SUANN HAMMERSMITH: I just wanted to read the sentence that Rhonda was referring to in the rules it's in section 12.4.

It says the chairperson independently or at the request of a member may take action to address remarks in question and that is about personal or slanderous remarks so a Commissioner can appeal to the Chair to address if they perceive remarks to be slanderous.

>> VICE CHAIR SZETELA: Any comments?

Questions?

I'm not seeing any go ahead Juanita.

You're on mute.

>> COMMISSIONER CURRY: Will there be any kind of security at the meetings or are we kind of out there by ourselves?

>> MS. JULIANNE PASTULA: Yes, there will be security and I will let communication Woods if he would like to provide those details.

>> MR. EDWARD WOODS: Yes, thank you.

We will be having security at the meetings, Commissioner Curry.

In addition we are going to request that we have law enforcement present as well but we will be paying for hired security at each of the meetings and that would include not just inside the facility but also the parking lot as well.

>> COMMISSIONER CURRY: Thank you.

>> VICE CHAIR SZETELA: Any other comments?

All right seeing no further comments I will entertain a motion.

>> COMMISSIONER LETT: So moved.

>> VICE CHAIR SZETELA: Commission Lett. Can I get a second?

>> COMMISSIONER EID: I will second again.

>> VICE CHAIR SZETELA: Once again, Commissioner Eid, you are on the slot today. So we have a motion to adopt the live public comment guidelines that were provided, motioned by Commissioner Lett; seconded by Commissioner Eid.

All in favor please raise your hand to so indicate.

All opposed same sign.

Okay, the motion carries and the memo is adopted.

All right. Moving on to our next agenda item. Next agenda item is the communities of interest discussion.

Sue, were you planning on leading this?

Okay.

>> MS. SUANN HAMMERSMITH: Yes.

Yes.

That would be me.

I'm going to work on sharing my screen here so we will see how this works.

Let's start from the main screen.

Okay, so we have talked a lot about communities of interest. And staff has been talking about it along with MDOS staff in our meetings so just wanted to share with you where we are regarding the process.

I want to let you know that we used Tom Ivacko's report to the MICRC and Justin Levitt's rules of redistricting also.

So regarding communities of interests so those were two of the references that we did use.

I want to start with our mission, vision and values because everything we do this is the under lying foundation.

So our mission again is to lead the redistricting process to assure that the Congressional, State Senate and State House distribute lines are drawn fairly in a citizens led transparent process meeting constitutional mandates.

Our vision is charting a positive course for elections based on fair maps for Michigan today and for the future.

For the public's purpose they need to know that the maps that we draw will last for ten years so it's really important you know that our work is based on a solid foundation.

Our core values, our integrity, respect, transparency, and purposeful.

So those are our under lying values that this process is founded on.

So why are communities of interest important in redistricting?

First to promote fair and representative districts by reflecting diverse communities and their distinct interests.

The diverse communities engaging diverse groups that is listed in our Constitution.

That is something we will follow along with the communities of interest language.

Secondly, we want to keep common interest groups intact so they can elect representatives who will be responsive to their unique interests.

Third we are continuing interaction you know after the public hearing is over, we hope that there are groups that have engaged with each other and engaged in civic responsibilities and they continue to engage together in the communities where they live.

And then, lastly, although communities of interest have been used for decades in redistricting, sometimes in a not very good way this is an open and transparent process for people to self-identify as communities of interest.

And this, this is a new process.

Also communities of interest are important because it's the third ranked criteria on the Michigan Constitution right after Federal requirements for equal population and meeting the Voting Rights Act and also being geographically contiguous.

So not only is it a good thing to do, it is a required thing to do.

Our Constitution defines communities of interest as including but not limited to populations that share cultural or historical characteristics or economic interests. And then as an aside or a little bit later it says communities of interest do not include relationships with political parties, incumbents or political candidates.

So some of the characteristics of communities of interest that have been up lifted include that they are self-defined by local community members.

It's not the Commission's job to necessarily go out and find communities of interest. It is the work of communities of interest that come to us and let us know they are a community and why they are a community.

It is associated with the contiguous area on the map.

And communities of interest would typically share common bonds, linked to public policy issues or identities that may be affected by legislation.

It's likely to result in a desire to share the same legislative District this order to secure more effective representation.

So I want to stop talking for just a minute and ask: Do the constitutional description and the characteristics of interest on this list explain the concept and help citizens understand whether they would be a conflict of interest or member of a community of interest?

Or what you know maybe one or more, maybe two or three, but is this description adequate so people can understand?

So the public can understand?

>> VICE CHAIR SZETELA: Commissioner Clark.

COMMISSIONER CLARK: I do think the description is very good.

There is one thing that bothers me a little about the input that we get from the community.

And that is that we haven't provided them a template and these are the things we are looking for.

For example, the community lives between the street and these streets or this township or whatever.

You know, and so a small template, nothing big.

And it will give them an idea of what we need to proceed.

Another example would be what is the population, the approximate population of the communities of interest.

I mean if we end up with 1500 communities of interest, we are going to have to sort that out somehow.

And say what we need we are really only going to look at from 400 people up or whatever.

But I think those types of criteria that we would ask of them would be important.

And could be provided on a template of some type.

I yield back.

>> VICE CHAIR SZETELA: Julianne, I actually have a question for you would we be able to impose a restriction like that?

Would we be able to limit a community of interest and say it has to be 50 people or more or anything like that?

Are we allowed to do that?

>> MS. JULIANNE PASTULA: I would advise against that.

>> VICE CHAIR SZETELA: Okay.

>> MS. JULIANNE PASTULA: But, too, I don't want to seem as if I'm being dismissive in any fashion.

I think the response to Commissioner Clark's excellent questions and concerns I think that is the next phase of the slides that the Executive Director is getting to.

But, yes, I would a community of interest could be any size.

And again up to people that advocate.

You can make the argument that so the smaller communities would be easier to incorporate and keep together than maybe some of the larger ones especially if they cross political boundary lines, which in looking at the list of criteria you could have communities based on location that could up lift or create some of those potential problems.

>> VICE CHAIR SZETELA: Okay thank you.

Commissioner Rothhorn and then Commissioner Lange and then Commissioner Clark. So let's start with MC.

>> COMMISSIONER ROTHORN: Julianne addressed it, I think it's the next slide. And the criteria and questions we will ask that will help address some of the criteria and form that Doug is referring to.

>> VICE CHAIR SZETELA: Okay, Commissioner Lange?

>> COMMISSIONER LANGE: I was playing on Doug's too.

In one and I don't know if it was the close up paper or whatever when they came up with a thousand potential communities of interest and it was showing churches.

How do you base a community of interest on a church?

Is it the location of the church?

Because all of the parishioners are at different addresses and what happens if one community of interest overlaps with another community of interest?

So I do think that those are things that we need to sort out.

>> VICE CHAIR SZETELA: Okay, all right, Commissioner Lett, I saw you took your hand back down are you good or do you need a comment still?

>> COMMISSIONER LETT: My only comment is that is what we are getting paid to do.

>> VICE CHAIR SZETELA: All right Commissioner Clark?

COMMISSIONER CLARK: I want to go back to my comment about the small population communities of interest.

I think what was in my head at that point in time thinking about Congressional districts, but the state legislature and the State Senate districts are going to be much smaller.

So I think smaller populations may play an important part in that.

So I would tend to take back what I originally said.

Although we are going to have to deal with the volume if we get a significant volume.

I still think it's important to understand the population, you know, as part of the template.

>> VICE CHAIR SZETELA: I agree at a minimum people should specify what the population is they are talking about because we are going to have situations where we are needing to balance things and having an idea of the population would be helpful to that.

All right any additional comments?

Sue, you had more slides I think after this?

>> MS. SUANN HAMMERSMITH: I do.

>> VICE CHAIR SZETELA: Okay.

>> MS. SUANN HAMMERSMITH: So this leads right into this conversation, so my question is: What do you need to know about communities of interest?

So these are some of the questions we are thinking about we could ask people what name would you give your community?

What is the common bond that creates your community's shared identity?

What is the geographic area covered by your community?

What governmental policies are important?

How would keeping your community intact enhance the quality of your representation?

And are there nearby areas that strengthen or weaken your community of interest?

We did not have the population question here.

I think a lot of people I don't think are going to know that but we can ask anyway.

But I also think that our mappers may be able to define that very clearly for us too.

So but, again, we could add that to our list.

My question here is this what you need to know?

>> MS. JULIANNE PASTULA: Sue, could you please screen share that list?

>> MS. SUANN HAMMERSMITH: Oh, it didn't.

I must have lost my screen share.

Let me go back again.

Okay.

>> MS. JULIANNE PASTULA: And while Executive Director is doing that, I would just like to highlight that the population, that the population estimate will be a feature of the mapping tools as well.

So.

>> MS. SUANN HAMMERSMITH: Is it there or did my screen share totally go away?

>> MS. JULIANNE PASTULA: It's not here Sue, you would need to click.

>> MS. SUANN HAMMERSMITH: I will go back out and end it and start over screen sharing.

It's like I don't know what happened.

>> MS. JULIANNE PASTULA: So to the questions that the if people are utilizing the mapping tool to draw their potential community of interest or the community of interest, they are advocating for excuse me, that the tool would be able to provide that population estimate for their benefit and the Commissioner's benefit.

>> MS. SUANN HAMMERSMITH: Okay, all right here we go again.

Okay now we have to -- I will have to get back to the right slide.

So let's do this, this, this and this.

Okay.

And back to where I need to be.

So the question is: Are these the questions that you need answered?

Certainly, I think every commenter should be encouraged to go to the public comment tool and put that geographic area on a map.

I think that is really important if especially if they cannot fully describe and it's really hard, I think in words to describe the streets unless you say my community of interest is a specific township or county.

It's going to be hard for the Commission to understand what that person who is speaking really wants to include in their area.

So I would certainly encourage the public comment tool.

Other questions?

Other things you need to know?

>> VICE CHAIR SZETELA: I'm sorry I was on mute Commissioner Clark go ahead.

>> COMMISSIONER CLARK: Yeah, in a previous webinar and I can't remember who the speaker was, but they brought up the topic of having some type of a legal statement attached to the input to these things.

So that we don't get people making up data for their own benefit.

Julianne, you may want to comment on that.

>> MS. JULIANNE PASTULA: So I think there was a suggestion to have people as I recall it that to attest that their public comment is truthful.

And I forget the exact wording.

But unfortunately that there would be no mechanism for us to validate where people were being truthful or dishonest this their public comment.

People have the right to be dishonest and untruthful if they choose to be.

Certainly in the public comment tool there are some other disclaimers that we have been discussing internally as staff with MDOS that would assist in that regard particularly towards the mapping.

But, again, in verifying the e-mails and doing different things, for security reasons, but, again, we would not be able to mandate that people swear or take an oath or something like that that they are being truthful.

>> COMMISSIONER CLARK: I don't know how we would validate it anyway because of all the volume and the timing to validate.

>> MS. JULIANNE PASTULA: Correct.

>> COMMISSIONER CLARK: I just wanted to bring that up because that was a point that came from one of the webinars previously.

I yield back.

>> VICE CHAIR SZETELA: Dustin did you still have a comment?

>> COMMISSIONER WITJES: I think it was answered because I was going to say what prevents a group of a hundred people in said township making something up saying this is what we believe in but the majority of the people in the township are no that is not true this is one little sect of people that got together and are angry with how we do things so.

>> VICE CHAIR SZETELA: Any other comments, Julianne go ahead.

>> MS. JULIANNE PASTULA: Thank you and to build on that, I think the Commissioner raises an excellent point, that is another wonderful function for the Commission's transparency and accessibility both online and hopefully soon in person that the larger public will hear the comments, the larger public will be able to provide feedback on the maps.

So we really just want to encourage all Michiganders to become involved and help the Commission in this process.

So I think the transparency will be a great asset to the Commission.

>> VICE CHAIR SZETELA: Okay, thank you. Commissioner Rothhorn.

>> COMMISSIONER ROTHORN: Thanks.

I think the idea of how do we create a process that might even address, I think the concern that Rhonda had brought up which is like how do we understand that you know there may be multiple communities of interest who actually are vying for what that we will make the judgment.

And I think if we can actually put it back on them, put it back into the public and have people in the communities actually decide whether you know that they arbitrate among themselves and we are not the arbitrator and if we can have a process rather than a legal definition, if we can make a process for us to verify you are a community of interest if we have some conflicts then you have to be able to be willing to arbitrate and arbitrate is the wrong word.

That is too legal but the idea they would come back to the Commission if there were one group within a township and the township was advocating for one thing and the smaller group was advocating within that township for a different thing that they would try to figure it out together and come back to the Commission with some sort of recommendations, it feels like I'll say a process driven definition rather than sort of a legal thing that I really appreciate.

We have to get closer to a like a definition, but I feel like defining a process is different than defining a specific category or, yeah, it's more dynamic.

The process is more dynamic and the definition is kind of a static thing.

And, yeah, that's it.

>> VICE CHAIR SZETELA: Okay, any other comments?

All right, Sue do you have any more slides after this?

>> MS. SUANN HAMMERSMITH: I do have a few more, I'm almost done.

I would just make a couple comments on than a we will talk a little bit about a decision making processes going forward.

We will do a segment on that in an upcoming meeting so we can talk further about how we, how you as a Commission will decide to make your decisions.

And I'm sure there will be some tough ones.

And then also to Commissioner Rothorn's comment about communities deciding, that's a whole part of the public comment process.

Anybody can post a map or make a comment but that also means that any other citizen can comment on that map or comment on the comment.

To say, you know, I disagree, I agree, whatever the situation may be.

So it's a live process and it's going to be wonderful to have citizens in Michigan engaged for the very first time in the process.

Any other questions you would add here?

Last call.

I got population.

Okay, I thought I would just share some examples that could come forth as communities of interest so ethnic or racial group, a school District I think that was mentioned this morning.

Agricultural group.

An arts organization.

Native American tribe.

A neighborhood association.

A religious community.

And an economic zone.

Tourism area, outdoor recreation, historical, and health system area and communities defines by natural features such as a river or mountains or shared watershed or lakeshore, those kinds of things.

So there is lots of ways that we are going to hear about communities of interest, and we will have to keep our constitutional description in mind and then also on the characteristics that we believe should guide the discussion.

There are a few key issues, so we want to make sure we can explain the concept of the community of interest.

So citizens can understand and advocate for their community of interest.

Which they are a part of or where they live.

We need to make sure that we are about the questions that we want to ask and learn about in the public testimony.

Which I think we have got a pretty good list there.

And then lastly to continually synthesize the findings and testimony from the public to utilize.

So you will likely be taking some notes in public hearings.

If you are hearing reoccurring themes in an area that you are in you are going to want to have some notes and have those available when we start thinking about the mapping process to make sure that those comments have been included.

I end with some recommendations.

Again I think we already covered the first two the shared explanation, the key questions. We will bring to you some considerations for group presentations.

And then Tom Ivacko has always lifted this up and I think it's an important one to note that we need to be able to discern between better resource groups and others.

So there may be well resourced groups that come to the Commission who are very vocal, but one quiet voice might also be just as important so we have to be very careful about how we listen and who we listen to and that we make sure that when we are collecting information about communities of interest that they fit the description and they really are a group that have a common bond that would affect legislation and who represents them.

So that would be the end of my comments.

And I will take any additional questions you might have.

>> VICE CHAIR SZETELA: All right do we have any additional questions out there?

All right I'm not seeing any.

All right no additional feedback for you, Sue.

>> MS. SUANN HAMMERSMITH: My bar is not coming down to stop the screen share, I'm trying.

>> VICE CHAIR SZETELA: It's not screen sharing any more.

>> MS. SUANN HAMMERSMITH: Did it go away.

>> VICE CHAIR SZETELA: We are not seeing it.

>> MS. SUANN HAMMERSMITH: I can see it.

I'm back to normal thank you.

>> VICE CHAIR SZETELA: So my question would be do you need anything from us at this point with respect to communities of interest or were you just looking for the discussion?

I just want to make sure you are not wanting a motion from us on something.

>> MS. SUANN HAMMERSMITH: I was looking for discussion and there seems to be consensus on moving forward.

So I think we are fine.

>> VICE CHAIR SZETELA: Okay, all right, fantastic.

All right we will move on to our next item on the agenda then which is actually to take a break and wow we are almost perfectly on time for that break so we will take a break it's 2:34 and we will come back at 2:45.

See you guys in about ten minutes.

[Recess]

>> VICE CHAIR SZETELA:

>> COMMISSIONER EID: Can you guys still hear me?

>> VICE CHAIR SZETELA: Yes, is that you Anthony?

>> COMMISSIONER EID: Yes.

>> VICE CHAIR SZETELA: Yes, we can hear you.

Anthony are you back.

>> COMMISSIONER EID: Yes, I'm here.

>> VICE CHAIR SZETELA: And, Sally, are you back yet?

All right. Good. All right. Looks like we have everybody, so we will reconvene.

The next item on our agenda is the communications and outreach report, and communications and outreach Director Woods, please go ahead.

>> MR. EDWARD WOODS: Thank you. Let me go ahead and share my screen and we will be good to go.

All right. Well, thank you so much members of the Commission, appreciate your support. Our communications and outreach update. As you know, our goals for the communications and outreach plan is fairness and ensure fairness in the redistricting process.

Some of the things that continues to come up where we are out speaking is which has become standard in our talking points is how the Commission is selected.

How the Commission is selected.

And so we basically the illustration I like to use is like a random solution of Commissioners it's like a lottery and so that is just something I continue to share over and over again as well as you have seen in your talking points and it's like a lottery. So just kind of want to share with you how that is explained.

I usually reference the first page of the website and scrolling all the way down as relates to how many people participated and the break down and then usually, I promote the composition of the Commission.

This refers to the four democrats, the four republicans and the four unaffiliated that we call independents.

So I just kind of want you to know that this question keeps coming up, with regards to that and I think it comes up for a couple of reasons.

One, geographical representation in that no one is there from Kent county.

And that has become you know prevalent when I do presentations on the west side.

And so just a way just to share how I talk about the fairness and it's a random selection process like a lottery.

And just wanted you to know that.

Awareness. We are trying with the public relations consultant to identify leadership and grass roots community organizations. This is not referring to the ones that like United Ways or stuff that is known statewide.

You have neighborhood groups, community groups, that are sometimes unique to local municipalities that might not cover across the state.

We are trying to identify that so that we can promote and increase awareness across the state in every market whether it's rural, urban or suburban who are the different and unique organizations and leaders in the communities that we might not know about.

This month as you know we have worked with our statewide partners, League of Women Voters, Michigan nonprofit association, yesterday I attended the monthly tribal state meetings to get some support and we are going to be working with United Tribal Council of Michigan, with Frank Ettawageshik, I'm sorry, with him. He is their Executive Director and leader. So really looking forward to working with him.

Voters not politicians. As you know, we just had an event last night or I should say two nights ago where we had Commissioner Dustin Witjes, Rebecca Szetela, and Doug Clark that participated in that, so continuing to increase awareness in working with our statewide partners.

And, once again, if you are interested in being a part of the communications outreach in your statewide group that has local affiliates or members, please give me a call. We meet every other Wednesday between 10-10:30, would love to have you and assist us in getting our message out statewide.

Transparency.

Really want to give a shout out to Nelson and Sarah with the MDOS staff.

We are in the process of revamping the website so it will be more robust and user friendly and ways to find some things and a shout out to Sally who was very instrumental in creating the presentation form so we can have better information when we go out and have you speak.

They can fill that out and I can give that to you so you can see where you're going.

That was something that was important.

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Pushing back against the media to ensure accuracy and balance really want to thank Commissioner Steve Lett with regard to the Mirs Podcast that came out last week and he responded back to it Monday.

Quite a few inaccuracies in terms of their understanding of the Commission, their understanding of the Constitution and was just grateful they reached out to us and had us give us a chance to tell our story.

Incorporate and illustrating how we as a Commission are following our rules, following the Constitution.

You always want to link back to the transparency and cite examples and we try to continue to incorporate that and illustrate that in our talking points.

Lastly with engagement in terms of increasing engagement we partnered with communities first in Flint and delta significant that Theta in Detroit on town hall meetings.

They want to continue to partner with us on having these virtual town hall meetings so we are planning on that.

Planning our first multimedia education campaign to increase awareness of the Commission.

Then we are identifying as you know today a video production services contractor for commercials and vignettes and this is really as I shared with you before in the interview the work of Dr. Kneel Fleming from the University of Australia who talked about learning styles and how adults have two or more learning styles.

It's called the vaccine model, visual, auditory, kinesthetic and conceptual on the video will follow in the kinesthetic mode and looking forward to sharing with you today as we speak to the video production services.

Background Commission approve and three informal bids to provide video production services to increase awareness and engagement in Michigan's new redistricting process.

This process provides a cost range of 5,000 to 49,99.99, bids proposed to the MICRC website and state Sigma site.

We conducted outreach through referrals for bidders of the PR consultants that bid in the past.

We received inquiries and reached out to video production firms.

The evaluation process, per the purchasing policy MICRC and MDOS staff reviewed the bids for video production services the criteria used to evaluate the bids consisted of the following, commercial timeline in terms of how long it would take them to shoot, edit and put the video in production.

The commercials were looked upon as 30 seconds.

We are looking at using the commercials not just for television but also for social media ads and also to embed them as part of our presentations.

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So we can utilize more learning when we go out and present and can use these as 30 seconds to embed in our presentations.

The vignette timeline was one to three minutes this is more like a story and to explain how to do public comments.

We wanted to know the timeline to turn that around.

Vendor experience and interested in knowing the experience they've had in working with other companies but particularly companies or organizations I should say nonprofit and Government organizations where they could relate or identify with our needs.

Principals resume in terms of who is working on the project.

And the resumes of those who are working on the project, the hourly rate or pricing.

Budget allocation and other.

Other consisted of responsiveness to our questions.

And utilizing their expertise to understand our needs.

In other words we were looking for companies that know their business but could also help us to identify our best needs so that we can promote the redistricting process across the entire State of Michigan and making sure we have clarity where no one is left behind.

Recommendation.

We assessed eight informal bids from Cold Box Films Cutters, Good Fruit, Image Works, Lambert, Message Makers, Nicolini Media, and Uno Deuce. In going through the evaluation process, Good Fruit, Message Makers, and Uno Deuce stood out based on their timeline, rate, expertise and experience in working on similar video production services.

Staff desires to reach out and negotiate deliverable options in terms of whether it's animated or whether it's interview.

Quantity, in terms of how many commercials we can get or how many vignettes we can get.

Timelines and cost for video productions with these three firms being Good Fruit, Message Makers, and Uno Deuce.

As a result, the motion we are seeking to have approved is to authorize MICRC staff to enter contract negotiations with Good Fruit, Message Makers, and Uno Deuce not to exceed \$49,999.99. The MICRC staff will bring a recommendation to authorize a contract for one of these vendors at our next meeting for approval on Thursday, April 29th.

If there is any questions, Madam Chairperson, I can take them at this time.

>> VICE CHAIR SZETELA: Commissioner Orton, go ahead, please.

>> COMMISSIONER ORTON: Edward, I have a question. One of your slides showed the statewide partners that you're working with to get the word out.

And then at the bottom it said Veterans groups or something like that.

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And I'm wondering I didn't hear any detail about that what groups have you reached out to?

>> MR. EDWARD WOODS: We have three veteran groups recommended by Commissioner Lange and looking to share our communication materials and distribute our communication materials so that we can ensure Veterans know about the redistricting process as well.

>> COMMISSIONER ORTON: Thank you.

>> VICE CHAIR SZETELA: Commissioner Lange?

>> COMMISSIONER LANGE: A few questions have you reached out to the Veterans groups yet?

>> MR. EDWARD WOODS: Not yet Commissioner Lange.

>> COMMISSIONER LANGE: Then on the proposals you brought forth I'm going to tell you when you guys send me stuff, I look it over.

And I spent ten hours from yesterday and today looking them over.

And honestly, I'm on board with one of your recommendations and that's it.

And that would be Good Fruit based off from the financials that they sent as far as pricing, the work that they have done, I looked at their videos not only on their website but also on YouTube that they have put out.

I have also did an extensive search and found not one negative thing about them in any way, shape and form.

And if the other Commissioners don't know I would like to inform that one of the owners actually is an adult with disabilities.

And I think it would speak volumes to this Commission if we considered that when we look at the diversity of our Commission, our staff, I think our contractors should have that same diversity and I think a little bit of special consideration should be given done to them.

So I personally would throw my hat behind Good Fruit all the way.

The other two honestly me personally I wasn't impressed with.

But that's me personally.

>> MR. EDWARD WOODS: Thank you.

>> VICE CHAIR SZETELA: Okay Commissioner Clark.

COMMISSIONER CLARK: Yes, I'd like to support what Rhonda just said.

I agree with her fully.

I have a question for you, Edward.

There is different types of videos and such that we are talking about here.

What would preclude us from using one vendor for one type and another vendor for a different type?

Rather than stay consistent with one?

>> MR. EDWARD WOODS: There would be really nothing that would preclude it. With regards to if you saw one particular for commercials and one for vignettes.

There is nothing I mean we could come back with that recommendation you know as well.

If that is something that the Commission would like us to look at but there is nothing that would preclude us from doing that.

>> COMMISSIONER CLARK: Would it make your job more difficult?

>> MR. EDWARD WOODS: Not necessarily.

To be honest with you.

>> COMMISSIONER CLARK: Okay.

Again, I just want to reiterate I support what Rhonda just said.

I took a look at the data that you had sent out, Edward.

And I agree with it fully on that.

And also with the individual with disabilities, I think that would be a welcome thing for the diversity of the group, so I yield back.

>> VICE CHAIR SZETELA: Any other comments or questions?

Okay, seeing none, I would entertain a motion but Edward I'm going to need you to throw that slide back up there so I read it right this time so I don't have to redo motions again.

So if you could throw that last slide up there and entertain a motion to authorize MICRC staff to enter into contract negotiations with Good Fruit Message Makers and Uno-Deuce not to exceed 49,999.99.

And the MICRC staff will bring a recommendation to us based on those negotiations.

Can I someone willing to move to that?

And we can vote on it.

>> COMMISSIONER WITJES: So moved.

>> VICE CHAIR SZETELA: Distinct Witjes moved and I see Commissioner Weiss is seconding all in favor please raise your hand to so indicate.

So I see 12 could you guys get your hands and I'm trying to count real quick.

So we've got all opposed same sign.

I feel like I'm missing people on my screen.

Here we go.

Keep your hands up please, guys.

Julianne did you count that?

I'm seeing five opposed but I think.

>> MS. JULIANNE PASTULA: I'm sorry go ahead Madam Chair I saw five opposed as well.

>> VICE CHAIR SZETELA: I saw five opposed but may have missed someone in favor.

>> MS. JULIANNE PASTULA: I have 7 in favor.

>> VICE CHAIR SZETELA: 7 in favor five opposed so the motion carries there you go Edward, go ahead and negotiate.

All right.

>> MS. JULIANNE PASTULA: Madam Chair.

>> VICE CHAIR SZETELA: Yes.

>> MS. JULIANNE PASTULA: We need because that vote was so close, we need because we are hiring consultants, we need one from each selection pool and I believe I believe that we -- I'm double checking -- we do not have one of the affiliate pools represented in that vote.

>> VICE CHAIR SZETELA: Okay so the motion does not carry so then what would we like to direct Edward to do, guys?

>> COMMISSIONER EID: My thought is how about we ask Edward to start negotiations with Good Fruit instead of all three.

>> VICE CHAIR SZETELA: Edward, could you weigh in on why you were asking to negotiate with all three instead of just one?

>> MR. EDWARD WOODS: We were trying to go back and see how we could get the best deal for our buck and so part of that would include with Commissioner Clark suggested where we could possibly split it.

If we liked one group for the commercial and one group for the Vin yet.

Another could be how much can we actually get and what is the quality.

For example if we wanted to use interview process for the commercials could be one way.

If we want to use a graphic and animation for setting up commercials that could be another way or to combine it.

The idea at the end of the day is how can we get the best quality because it's not about pricing but the best quality for the price.

Obviously, the staff agreed with Commission Lange's viewpoint with regards to Good Fruit and that is why they are being brought forward but at the same time we are at the end of the day you know I'm hearing cost, I'm hearing quality.

And we are acknowledging them as a great organization.

But the other two also bring something to the table.

And so we are trying to maximize our opportunities by asking them additional questions to see what we can do for the amount of money that we have assigned for this contract.

>> VICE CHAIR SZETELA: Okay, General Council Pastula, go ahead.

>> MS. JULIANNE PASTULA: Thank you so much Madam Chair and building on what Communication Director Woods has indicated really what the evaluation team found it was a combination of the timing, the timeframe in which they could propose the work and also to gain additional clarity on what they were proposing and that cost and price break down.

And then, again, to try and negotiate maximize the deliverables that we could get utilizing public funds.

So it actually was -- there was specific information that we wanted from all three vendors to bring back to the Commission to make their decision was the goals identified in the evaluation team meeting.

>> VICE CHAIR SZETELA: Okay Commissioner Witjes?

>> COMMISSIONER WITJES: I don't see what the harm is in contract negotiations with more than one company because if you only pick one then all sense of competition basically goes out the window at that particular point.

So they can and then we would have to basically spend another day saying oh, well can we actually go and get bids from these two production companies at that particular point.

I mean, I get that you know Good Fruit is a great company.

I also looked them up, I did it yesterday.

And impressed.

But I still think that we should not preclude anyone else from contract negotiations.

>> VICE CHAIR SZETELA: Okay Commissioner Clark?

COMMISSIONER CLARK: Excuse me, I agree with Anthony.

I think we should focus in on the one that we are all comfortable with.

I mean we have taken a look at the data.

We can still negotiate with one.

Edward, question for you, how time critical is that we select one and move forward with it?

>> MR. EDWARD WOODS: We were prepared to select next week.

So as long as we do it by next Thursday, we are fine.

>> COMMISSIONER CLARK: But when do you envision utilizing them?

>> MR. EDWARD WOODS: They would start Monday, May 4th or Monday I'm sorry, the right date Monday, may third.

>> COMMISSIONER CLARK: So it's time critical then that we decide?

>> MR. EDWARD WOODS: Right that is why I wanted to make a decision but we also wanted to make sure we were getting the best price.

>> COMMISSIONER CLARK: I don't know if Anthony put a motion forward or just the idea forward but a motion.

>> VICE CHAIR SZETELA: Anthony Commissioner Eid motioned to just negotiate with Good Fruit and Commissioner Lange had seconded that so we do already have a motion on the floor.

>> COMMISSIONER CLARK: It's already seconded.

>> VICE CHAIR SZETELA: Yes.

>> COMMISSIONER CLARK: I was going to do that if it wasn't.

I yield back.

>> VICE CHAIR SZETELA: Go ahead general counsel.

>> MS. JULIANNE PASTULA: I retract.

>> VICE CHAIR SZETELA: Okay so we have a motion on the floor at this point by Commissioner Eid and seconded by Commissioner Lange to only negotiate with Good Fruit with respect to the video production.

If you are in favor of that motion, please raise your hand to so indicate.

>> COMMISSIONER LETT: I call for a voice vote, please.

>> VICE CHAIR SZETELA: Yeah, let's do a voice vote on that one.

Sally can you help out with this one?

>> MS. SALLY MARSH: Hello Commissioners.

All right, I will call your names in alphabetical order starting with down the list as is outlined in your rules and procedures.

So first MC Rothhorn.

>> COMMISSIONER ROTHORN: Yes, I'm in favor of the motion.

>> MS. SALLY MARSH: Rebecca Szetela?

>> VICE CHAIR SZETELA: No.

>> MS. SALLY MARSH: Janice Vallette.

>> No.

>> MS. SALLY MARSH: Erin wagoner.

>> Yes.

>> MS. SALLY MARSH: Richard Weiss?

>> COMMISSIONER WEISS: No.

>> MS. SALLY MARSH: Dustin Witjes?

>> COMMISSIONER WITJES: No.

>> MS. SALLY MARSH: Doug Clark?

COMMISSIONER CLARK: Yes.

>> MS. SALLY MARSH: Juanita Curry?

>> COMMISSIONER CURRY: No.

>> MS. SALLY MARSH: Anthony Eid?

>> COMMISSIONER EID: Yes.

>> MS. SALLY MARSH: Rhonda Lange?

>> COMMISSIONER LANGE: Yes.

>> MS. SALLY MARSH: Steve Lett?

>> COMMISSIONER LETT: No.

>> MS. SALLY MARSH: Cynthia Orton?

>> COMMISSIONER ORTON: Yes.

>> MS. SALLY MARSH: I have five yeah, four nay and the motion does not carry.

>> VICE CHAIR SZETELA: All right so what do we want to do from here?

>> MS. JULIANNE PASTULA: Madam Chair.

>> VICE CHAIR SZETELA: Yes.

>> MS. JULIANNE PASTULA: May a make a suggestion.

>> VICE CHAIR SZETELA: Yes.

>> MS. JULIANNE PASTULA: That the staff continue its due diligence activities and bring back the recommendation next week for the Commission and provide additional information?

>> VICE CHAIR SZETELA: That sounds good to me.

Any objections to doing that?

Rhonda, are you saying something?

>> Say that again.

>> MS. JULIANNE PASTULA: My statement was given the outcome of the last vote if the Commission would like the evaluation team to continue its due diligence activities and bring back additional information next week for the Commission's actions that we don't -- that we get the additional information without the negotiation piece and then bring that forward to the Commission so you could make the decision with the additional info.

>> COMMISSIONER LANGE: Before we do that what was the vote on the last motion?

>> VICE CHAIR SZETELA: Five in favor.

>> MS. SUANN HAMMERSMITH: I had six and six it was a tie, I had six and six.

>> MS. JULIANNE PASTULA: So the motion was six and six so it fails not on the count but also the breakdown of the affiliate.

So we had no independents, no independents on the yes side and we had no republicans.

>> COMMISSIONER LANGE: We had Anthony as an independent.

>> MS. JULIANNE PASTULA: Excuse me Rhonda thank you very much.

>> COMMISSIONER LANGE: Want to keep it straight.

>> MS. JULIANNE PASTULA: I appreciate the detail but the vote was a tie vote so it does fail.

>> VICE CHAIR SZETELA: Still six to six.

All right so unless there are objections go ahead Anthony.

>> COMMISSIONER EID: You know I think we --

>> VICE CHAIR SZETELA: You are kind of breaking up Anthony we are having a hard time understanding you.

>> VICE CHAIR SZETELA: Try again Anthony now you don't have your video on.

>> COMMISSIONER EID: Sorry can you hear me now?

>> VICE CHAIR SZETELA: Yes, but you are back on mute again.

>> COMMISSIONER EID: Yes, so I think that having our bringing up more information would be a good idea but you know entering in with negotiations so I'm just wondering if anyone feels strongly one way or another and if the motion passes?

>> VICE CHAIR SZETELA: Go ahead Edward.

>> MR. EDWARD WOODS: I want to concur with our general counsel.

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I think if we come back with some recommendations and also look at separating the commercial as well as the vignettes it provides an opportunity to get some of the details information to be fiscally responsible and it's not just the price it's the best quality product.

But I think we can do that and still be on schedule to start on May 4.

So we will bring that information back because basically this motion has failed.

And if any Commissioner has an idea, suggestion or something, you know, we are an always available, I'm always available.

So please you know call and reach out.

It would be great.

And so I would appreciate that.

But the Commission has spoken and it's clear.

So more than happy to come back and bring all this information and additional information so that you can take a look at it and we can move forward.

>> VICE CHAIR SZETELA: Okay thank you Edward.

All right we will move on to the next item on our agenda which is the legal counsel report from general counsel Pastula.

>> MS. JULIANNE PASTULA: Wonderful.

Let me unmute.

My report today, thank you for the opportunity to provide it.

We are going to be talking about the update on the Michigan -- on the petition to the Michigan Supreme Court.

As you will note four documents were filed this Tuesday, April 20th and circulated to the Commissioners.

We have first the brief excuse me the petition for relief, second the brief in support of that petition, the third document was the exhibits to the brief.

And our fourth document filed was the motion to expedite and request that the Court give us consideration by August 1st of 2021.

I'd like to note that all of these documents are available on the MICRC website.

Scroll to meeting information and click on meeting material and archive and all of those will be listed under today's date.

The key points of our joint argument, again, in 2018 Michigan voters had indicated their strong preference that the Constitution be amended to shift duties for redistricting from the legislature to the MICRC.

In pursuant to subsection 19 of the Constitution the MICRC has exclusive authority to promulgate and adopt redistricting plans for the state.

The Constitution sets forth the process the Commission must follow including specific ranked criteria as well as related deadlines.

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And under these current deadlines the MICRC is required to adopt final plans on or before November 1st with the requirement to publish proposed plans 45 days in advance of November 1st for public comment.

That date would be September 17th.

I'd like to highlight for the public here that the MICRC will be conducting a second round of eight public hearings on the proposed plans during the 45-day public comment period.

Going back to the petition, why does the MICRC need from these Constitution deadlines?

So the census data which we have spoken about quite frequently in our meetings the census data for redistricting known as public law 94-171 data or PL94171 data should have been released to the states by April 1st.

However, due to the COVID pandemic the U.S. Census Bureau will not be releasing the data to the states until September 30th. this is after the date which the MICRC is required to publish proposed plans which makes with compliance with the constitutionally imposed timeline impossible.

Although the MICRC intends to use alternative data sources including but not limited to the American Survey Data, population data, as well as the legacy format data to be line drawing work in advance of September 30th. And even this will not have a meaningful impact on the ability of the Commission to meet the current deadline of November 1st.

Yesterday correspondence was received from the Census Bureau updating the legacy format data release date to August 16th so we actually have a specific date for the first time attached to that release.

In the past it was a range of mid to late August leaning towards the third week of August and so now we have the date of August 16th as the anticipated release date.

Given the estimated 7-ten-day processing time, the data is expected to be available the last week in August, which without relief from the Court would give the Commission approximately two to three weeks to conduct its work.

And preclude the reconciliation of the legacy data with the PL94 data on September 30th.

I would also highlight the correspondence notes if there is any indication the Census Bureau schedule could change they would again inform the public but did reiterate on August 16th and September 30th dates.

So this delay in census data necessitates the MICRC as well as the Secretary of States to petition the Court.

Down to the specific relief that we are the key points for our requested relief is we are requesting the Court enter an order directing the Commission propose and publish redistricting plans 72 days from receiving the census data on September 30th. this would shift the September 17th deadline to December 11th.

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Second, to adopt final plans no later than 45 days after December 11. This would shift the November 1st deadline to January 25th of 2022.

Thirdly, that if the census data is transmitted after September 30th, the deadlines would shift to accommodate that delay.

And, lastly, if the PL94 data is transmitted in advance of September 30th, the MICRC will make every effort to expedite the process and adopt a final plan by corresponding number of days.

Again all of these dates correspond with formal actions taken by the Commission to guide our work.

And in closing I would again like to acknowledge the partnership and the efforts of MDOS as well as the AG's office in this matter.

Rather than waiting for a mandamus action or being on opposing Sides of mandamus action they elected to go forward together and hopefully advance the most compelling argument possible for the relief requested.

Thank you and I can answer any questions on that very large set of documents that I forwarded over.

>> VICE CHAIR SZETELA: Thank you very much.

Any comments or questions for general counsel?

Go ahead Commissioner Eid.

>> COMMISSIONER EID: Thank you Madam Chair and thank you Julianne for the report.

I was just wondering if there was a timeline.

>> VICE CHAIR SZETELA: We are having problems with your audio again Anthony, I'm sorry it sort of sounds like you are in an echo chamber.

>> MS. JULIANNE PASTULA: What I heard Madam Chair is any indication on the timeline, okay, so, again, let me reiterate that we have a request for relief that the Court has the discretion to take up and opine on and move forward with.

And the motion to expedite, again, really up lifts the timing constraints with the situation that the Commission is in due to the census data delay.

So we have requested that the Court give us consideration or by August 1st.

So that would be the date that we would hope to know something should the Court elect to take up the matter.

>> VICE CHAIR SZETELA: Thank you very much for getting that filed for us. Go ahead, Commissioner Orton.

>> COMMISSIONER ORTON: Julianne a question what if they don't take it up? Like what happens?

Obviously, we can't make the date that we have to, so what happens?

>> MS. JULIANNE PASTULA: So it's an excellent question as well, Commissioner Orton.

So I think the Commission has the very, very consistent and very vocal in its forward progress towards meeting its constitutional duties.

The work of the Commission is not slowing down due to the census delay.

We push forward.

Again, if we request relief and it is not granted, we would make every effort to meet the constitutional delay, the constitutional deadline, but in the reality of it just being a couple of weeks' time to do so, that the Commission would -- I would recommend the Commission adopt plans or propose plans as close to those deadlines and adopt plans as close to those deadlines as possible but again that would open us up to other legal challenges if we do not have relief directly from the Court.

But, again, the work should continue.

The focus should continue which is exactly what the MICRC is doing.

So status quo.

>> VICE CHAIR SZETELA: All right, any other comments?

Okay thank you very much general counsel Pastula.

>> MS. JULIANNE PASTULA: One last.

>> VICE CHAIR SZETELA: Go ahead.

>> MS. JULIANNE PASTULA: I think I highlighted when we discussed to file a petition or pros and cons for proactive relief versus waiting for a mandamus action and with the proactive relief we are attempting to resolve the problem before it becomes a problem.

The August 1st date would give us an answer prior to September 17th but in the event we don't get relief, which is a possibility, that we would be able to point to our proactive actions as that we initially tried to get relief and move that area forward.

Again I believe the Commission and the secretary are best positioned in the course of action that has been taken.

Thank you.

>> VICE CHAIR SZETELA: Okay, all right, thank you very much.

Moving on to our next agenda item is future meetings and agenda items any comments or concerns?

Things we want added to the agenda in the future?

Okay, seeing none let's move on to announcements.

Executive Director Hammersmith, do we have any announcements that need to be made?

>> MS. SUANN HAMMERSMITH: I wanted to back up.

I did not get my hand or mute off quickly enough.

I just want to let you know we are planning on a public hearing dry run next week.

So Commissioners will understand processes, who is doing what, what activities that MDOS will be in charge of MDOS as secretary to the mission and what roles MICRC staff will play, scripts, those kinds of things.

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Just how the public hearings will proceed and as for unfinished business we will also talk about videographer contracts.

So those were the two main agenda items I have.

>> VICE CHAIR SZETELA: Okay, any other comments, concerns announcements?
Go ahead Erin.

>> COMMISSIONER WAGNER: I wanted to ask Edward a question. Would it be possible to get a comprehensive list of the groups you have reached out to?
Would it also be possible to come up with a handout that those groups can pass out at meetings?

Informing them of the MICRC and our process?

>> VICE CHAIR SZETELA: You're on mute.

>> MR. EDWARD WOODS: Talking about the statewide group, sure, I can do that.
Then in terms of handouts our PR consultants are going to be working on that so that we can pass those out.

They are basically called kicker cards.

But we will have those available so that we can distribute those.

So, yes, more than happy to share the list.

Does that answer your question?

I'm sorry.

>> COMMISSIONER WAGNER: It does, thank you.

>> MR. EDWARD WOODS: Okay.

>> VICE CHAIR SZETELA: Announcements comments, questions before we sign out for the day?

Seeing none can I get a motion to adjourn?

>> COMMISSIONER LETT: So moved.

>> VICE CHAIR SZETELA: Motion by Commissioner Lett and seconded by Commissioner Witjes. And all in favor please raise your hand to indicate.
All opposed same sign.

The motion carries. We are adjourned at 3:27.

Thank you very much, everybody, and see you next week.