

Michigan Independent Citizens Redistricting Commission

Virtual Meeting via Zoom Webinar. Full agenda, presentations, and video recordings are available at www.Michigan.gov/MICRC

Thursday, April 18, 2024
10:01 a.m.- 12:28 p.m.

MINUTES

PRESENT

Elaine Andrade (*remotely from Imlay Twp, MI*)
Donna Callaghan (*remotely from Mexico*)
Juanita Curry (*remotely from Detroit, MI*)
Anthony Eid (*remotely from Detroit, MI*)
Brittini Kellom (*joined at 10:26 a.m., remotely from Detroit, MI*)
Steven Terry Lett (*remotely from Lee County, FL*)
Rhonda Lange (*remotely from Osceola County, MI*)
Marcus Muldoon (*remotely from Carlton, MI*)
Cynthia Orton (*remotely from Battle Creek, MI*)
Rebecca Szetela (*remotely from Wayne County, MI*)
Janice Vallette (*remotely from Highland Township, MI*)
Erin Wagner (*remotely from Eaton Township, MI*)
Richard Weiss (*remotely from Saginaw, MI*)

ABSENT

None.

OTHERS PRESENT

Edward Woods III, Executive Director
Michigan Department of State (“MDOS”) Staff
Nate Fink, Fink Bressack
Patrick Lewis, Baker Hostetler
Mark Braden, Baker Hostetler
Kim Brace, Election Data Services
John Morgan, Election Data Services
Kent Stigall, Election Data Services

CALL TO ORDER AND WELCOME

Commissioner Eid, Chair, called the meeting of the Michigan Independent Citizens Redistricting Commission (MICRC) to order at 10:01 a.m.

ROLL CALL

MDOS staff called roll. A quorum was met.

ADOPTION OF THE AGENDA

MOTION: Approve the agenda. Moved by Commissioner Weiss. Supported by Commissioner Muldoon.

MOTION: Amend the motion to approve the agenda, in order to amend the agenda and address New Business items a (Mapping Presentation), b (VRA Presentation), and c (Partisan Fairness Presentation) prior to Unfinished Business. Moved by Commissioner Lett. Supported by Commissioner Weiss. Commissioner Eid, Chair, held a vote by show of hands. **MOTION APPROVED.**

Commissioner Eid, Chair, held a vote on the motion to approve the agenda, as amended, by show of hands. **MOTION APPROVED.**

PUBLIC COMMENT PERTAINING TO AGENDA TOPICS

Commissioner Eid, Chair, put a motion “to begin public comment pertaining to agenda topics portion of the agenda” forward without objection, which was adopted.

Two individuals provided public remote comment: James Gallant, Anthony Scannell.

A complete inventory of live and written public comment is available at: www.Michigan.gov/MICRC.

NEW BUSINESS

a. Mapping Presentation

Commissioner Eid, Chair, requested Executive Director Woods to facilitate this topic. Executive Director Woods deferred to Kim Brace who presented information regarding the State Senate maps from 2012 vs. the MICRC drawn Linden plan. Kim Brace also presented information regarding the six senate districts the Commission must redraw as ordered by the court in *Agee*.

b. VRA Presentation

Commissioner Eid, Chair, requested that Mark Braden facilitate this topic. Mark Braden proposed that the Commission follow the same mapping procedure they did while redrawing the state house districts. Mark Braden indicated that the Commission should redraw the senate districts race blind, while considering the other constitutional criteria. Once draft maps are prepared, the maps should be submitted to VRA counsel and Dr. Max Palmer for VRA analysis. After reviewing the VRA analysis, Mark Braden advised that the Commission could then make small changes to the map if necessary.

c. Partisan Fairness Presentation

Commissioner Eid, Chair, requested that Dr. Lisa Handley facilitate this topic. Dr. Handley presented a PowerPoint outlining the metrics for measuring partisan fairness including the seats to votes ratio, lopsided margins test, mean-median difference scores, and efficiency gap.

UNFINISHED BUSINESS

a. Appeal to the U.S. Supreme Court

Commissioner Eid, Chair, requested that Nate Fink facilitate this issue. Nate Fink recommended the Commission go into closed session to discuss pending litigation: *Agee, et al v. Benson, et al*, Case No. 22-cv-272, U.S. District Court for the Western District of Michigan (the “Agee litigation”). Specifically, Mr. Fink recommended the Commission go into closed session to discuss the pending appeal before the U.S. Supreme Court and negotiations regarding Plaintiffs’ attorney fee claim with the Commission’s attorneys.

MOTION: Go into closed session to discuss the Appeal to the U.S. Supreme Court topic in the *Agee* litigation (including negotiations regarding Plaintiffs’ attorney fee claim) with the Commission’s attorneys. Moved by Commissioner Lett. Supported by Commissioner Orton. Commissioner Eid, Chair, held a vote by roll call. **BY A VOTE OF 10-3, MOTION APPROVED.**

<u>Commissioner</u>	<u>Vote</u>
Elaine Andrade	Yes
Donna Callaghan	Yes
Juanita Curry	Yes
Anthony Eid	Yes
Brittini Kellom	Yes
Rhonda Lange	No
Steve Lett	Yes
Marcus Muldoon	Yes
Cynthia Orton	Yes
Rebecca Szetela	No
Janice Vallette	Yes
Erin Wagner	No
Richard Weiss	Yes

Commission moved to closed session. Closed Session commenced at 10:55 a.m.

Commission returned to open session at 11:37 a.m.

ROLL CALL

MDOS staff called roll. A quorum was met.

<u>Commissioner</u>	<u>Roll Call</u>
Elaine Andrade	Present
Donna Callaghan	Present
Juanita Curry	Present
Anthony Eid	Present
Brittni Kellom	Present
Rhonda Lange	Present
Steve Lett	Present
Marcus Muldoon	Present
Cynthia Orton	Present
Rebecca Szetela	Present
Janice Vallette	Present
Erin Wagner	Present
Richard Weiss	Present

b. Final State Senate Remedial Plan

Commissioner Eid, Chair, requested that Executive Director Woods facilitate this topic. Executive Director Woods indicated that the May 7th public hearing will take place in Macomb County at the Warren Community Center, the May 8th public hearing will take place in Oakland County at the Pearls Event Center, and that the May 9th public hearing will take place in Wayne County at the Student Event Center at Wayne State University. Executive Director Woods also presented the entire Final State Remedial Plan mapping schedule to the Commission.

NEW BUSINESS

d. Fast Maps

Commissioner Eid, Chair, requested that Executive Director Woods facilitate this topic. Executive Director Woods indicated he contacted Dr. Petering from Fast Maps, and if Dr. Petering were to create a map using his algorithm, he would charge the Commission \$250 per hour for his services.

MOTION: Authorize Executive Director Woods to contact Dr. Petering from Fast Maps to determine whether he would be willing to do a presentation to the Commission at no cost. Moved by Commissioner Szetela. Supported by

Commissioner Lange. Commissioner Eid, Chair, held a vote by roll call. **BY A VOTE OF 6-7, MOTION FAILED.**

<u>Commissioner</u>	<u>Vote</u>
Elaine Andrade	Yes
Donna Callaghan	Yes
Juanita Curry	No
Anthony Eid	No
Brittini Kellom	No
Rhonda Lange	Yes
Steve Lett	No
Marcus Muldoon	Yes
Cynthia Orton	No
Rebecca Szetela	Yes
Janice Vallette	No
Erin Wagner	Yes
Richard Weiss	No

MOTION: Table New Business items e (Institute for Public Policy and Social Research) and f (Commissioner Application) until next meeting. Moved by Commissioner Szetela. Supported by Commissioner Weiss. Commissioner Eid, Chair, held a vote by roll call. **BY A VOTE OF 11-2, MOTION APPROVED.**

<u>Commissioner</u>	<u>Vote</u>
Elaine Andrade	Yes
Donna Callaghan	Yes
Juanita Curry	Yes
Anthony Eid	Yes
Brittini Kellom	Yes
Rhonda Lange	No
Steve Lett	Yes
Marcus Muldoon	Yes
Cynthia Orton	Yes
Rebecca Szetela	Yes
Janice Vallette	Yes
Erin Wagner	No
Richard Weiss	Yes

g. Election Data Services

Commissioner Eid, Chair, requested that Executive Director Woods facilitate this topic. Executive Director Woods recommended that the Commission increase the cap for Election Data Services from \$1,779,000.00 to \$2.5 million, Election Data Services provide a \$60,000 credit to the Commission, the Commission not receive an early

payment discount of two percent until the contract value exceeds to \$2.5 million, Election Data Services turn in invoices to the Commission by tenth of every month, and Election Data Services provide a credit of \$60,000 to the Commission effective May 1, 2024.

MOTION: Adopt the proposal presented by Executive Director Woods. Moved by Commissioner Lett. Supported by Commissioner Weiss. Commissioner Eid, Chair, held a vote on the motion, by show of hands. **MOTION APPROVED.**

h. February Financial Report

Commissioner Eid, Chair, requested that Executive Director Woods facilitate this topic. Executive Director Woods presented the February Financial Report to the Commission and provided the Commission with an update on the Commission's budget through February 29, 2024.

FUTURE AGENDA ITEMS

Commissioner Lange requested that a discussion to determine the length and number of times the Commission will allow individuals an opportunity to provide public comment be added to the agenda for the next Commission meeting.

ADJOURNMENT

MOTION: Table the remainder of the agenda items and until the Commission's next meeting and adjourn the Meeting. Moved by Commissioner Lett. Support by Commissioner Orton. Commissioner Eid, Chair, held a vote by show of hands. **MOTION UNANIMOUSLY APPROVED.**

The meeting was adjourned at 12:28 p.m.