WAYNE COUNTY

BUILDING AUTHORITY

MEETING

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Taken at 500 Griswold,

Detroit, Michigan,

Commencing at 10:00 a.m.,

Wednesday, September 16, 2015,

Before Laurel A. Frogner, RMR, CRR, CSR-2495

APPEARANCES:

Eileen DeHart, Chairperson

Fred Hoffman, Member

James Saros, Member

Frank Vaslo, Member

OTHERS PRESENT:

Zenna Elhasan, Wayne County
Director Corporation Counsel

Tim Johnson, Wayne County Commission

Pamela Lane, Wayne County
Assistant Commission Counsel

Mary Anna Daskas, Wayne County
Finance and Administration

Audricka Grandison, Wayne County

Bob Newton

Detroit, Michigan

Wednesday, September 16, 2015

About 10:00 a.m.

CHAIRPERSON DeHART: We'll call the meeting to order. The Wayne County Building Authority, September 16th.

Roll call, please.

MS. GRANDISON: Eileen DeHart.

CHAIRPERSON DeHART: Present.

MS. GRANDISON: Frederick Hoffman.

MR. HOFFMAN: Here.

MS. GRANDISON: James Saros.

MR. SAROS: Present.

MS. GRANDISON: Frank Vaslo.

MR. VASLO: Here.

MS. GRANDISON: And our newest member is excused today, Patricia Cole.

CHAIRPERSON DeHART: Is there approval of the agenda with the removal?

MR. SAROS: I'll move.

CHAIRPERSON DeHART: Okay. And we're going to remove Item Number 1 under Informational Items as Patricia couldn't make it this morning, she had travel plans, and I can certainly relate to that.

Is there a second?

MR. VASLO: Second.

CHAIRPERSON DeHART. All those in favor?

(In unison): Aye.

CHAIRPERSON DeHART: Opposed?

(No response.)

CHAIRPERSON DeHART: Motion carries.

Approval of the August minutes. Is there a motion?

MR. HOFFMAN: So move.

MR. VASLO: Support.

CHAIRPERSON DeHART: Any additions, corrections, deletions?

(No response.)

CHAIRPERSON DeHART: Hearing none, all those in favor?

(In unison) Aye.

CHAIRPERSON DeHART: Opposed?

(No response.)

CHAIRPERSON DeHART: Motion carries.

There's obviously no Old Business.

New Business. Action Items. Miller Canfield Contract - Jeff McHugh - not to exceed $30,000. This is for the IRS audit of jail bonds.

We'll get a motion, then we can discuss it.

Is there a motion?

MR. HOFFMAN: I'll move for the purpose of debate.

CHAIRPERSON DeHART: Is there support?

MR. SAROS: Support.

CHAIRPERSON DeHART: Okay. Who would like to take the football and run?

MS. ELHASAN: So the last time we appeared before this body we discussed Miller Canfield's retention and the fact that they would be working on the IRS examination and responses to the audit. We thought it might be prudent and appropriate that bond funds pay for that engagement as opposed to the General Fund because it is bond related, and that's why we are before you today for approval on that contract.

Now, while the not to exceed at this point is 30,000, I imagine it may cost more than 30,000, and certainly we'll come back before this Board for any modifications to that agreement, but I don't expect that it's only going to cost $30,000. We certainly try to conserve costs as much as we can, but the engagement was expected to cost -- we knew at the beginning that it was going to cost more than $30,000, so we wanted to make sure we got at least something started and get approval for that to move forward.

CHAIRPERSON DeHART: Is there an estimate as

to how much more it will cost?

MS. ELHASAN: I asked that, and I've learned over the years of practice that attorneys, it's very difficult for attorneys to estimate what the costs would be. We don't know what the dialogue is going to be with the IRS agent. We don't know if they're going to require additional information. The bulk of the work has been done thus far. As a matter of fact, we've just received the most recent draft of the responses. I know Mary Anna and Bob both met with Jeff yesterday, went over that response again in great detail. There's a lot of documents that have to be prepared, there's a lot of documents that have to be reviewed, and certainly once those responses are submitted to the IRS agent, there may be follow-up questions, follow-up detail that's required. So I can't really say at this point how much it might cost, because I don't know prospectively the additional dialogue that will occur or the additional review that will occur. Certainly hope that the preliminary stage that we've already completed and the responses that we've already submitted are sufficient enough for the agent to make a decision, but they don't really tell you at this point if they're going to require additional information or input.

CHAIRPERSON DeHART: Okay. Any questions?

MR. VASLO: Why aren't we using Corporate Counsel for this and just transferring the money from the bonds over to Corporate Counsel? Why aren't we using your staff?

MS. ELHASAN: We are not experienced in IRS audits, we don't have that expertise in-house, and we certainly wouldn't claim to be experts in IRS audits and jail bonds, and so we thought it would be appropriate to retain counsel that has the expertise and has dealt with these types of audits in the past just obviously to limit the exposure to the County.

MR. VASLO: $350 an hour, that's a lot of money per hour. Why are we paying them so much?

MS. ELHASAN: That was a negotiated rate, actually.

MR. VASLO: Well, that's what they always say.

MS. ELHASAN: Well, we know this type of work and we know the expertise that's required for this type of work, and we did negotiate that rate down, that is a blended rate, and we also negotiated the separate piece that if there are any issues outside of the audit that need to be responded to, we have a separate engagement with bond counsel at Miller Canfield to address those concerns at the $200 rate.

MR. VASLO: Okay, and --

MS. ELHASAN: Experts, just so you know, experts are usually paid more than what our attorneys get paid on an hourly rate, and this is an expert services contract.

MR. VASLO: Is 350, is it a tiered system? I mean am I paying 350 for a typist, 350 for an associate, or is 350 getting me a partner?

MS. ELHASAN: No, it's getting you Jeff McHugh.

MR. VASLO: Okay. And any support that is provided for him is --

MS. ELHASAN: We're not getting billed a paralegal at $350 an hour, if that's what you're asking --

MR. VASLO: That is what I'm asking.

MS. ELHASAN: Any clerical staff is not being billed at $350 an hour, absolutely not. He's got one other person working with him, and that's why I indicated the blended rate, but I would say --

MR. VASLO: Well, I don't know what that means.

MS. ELHASAN: So even if he's got an associate working with him, for instance, he's taking that into account and not charging us the 500 and some dollar an hour rate that he would typically charge his clients.

But I would say 90 percent of the work, if not more, is being handled by Jeff himself, and I know that because we've been working face to face with Jeff, and I mean he's essentially carried the water on this matter.

MR. HOFFMAN: Two questions. Again, it's funded under the bond proceeds, this expense is funded under the bond proceeds?

MS. ELHASAN: Yes, that's why we're before you today, yes.

MR. HOFFMAN: And, secondly, what if we didn't do this? What if we didn't hire outside counsel; what's the alternative?

MS. ELHASAN: We would have to do our very best to address it internally, but I will tell you I've prepared, and Mary Anna can attest, a number of documents and memos supporting documentation, so there has been a lot of work done internally, a lot of work, whether it's compiling all the documents, preparing memos, providing a timeline, indicating all the options that we've done, all the due diligence that the County has put together, we prepared all of that, and it was merely a cut and paste just to save on those costs, so he could just take that information and plug it into the response, but there's a lot of details that we just don't have internally the resources to --

MR. HOFFMAN: Would it be correct to say that bringing an expert like him into the picture could make a difference whether the bonds are, in fact, eligible or not?

MS. ELHASAN: I don't know ultimately what the decision of the IRS is going to be, but I thought it would be appropriate to have an expert addressing those concerns. Again, we're looking at eliminating the County's exposure on having these bonds, you know, obviously found to be appropriately used and eligible for the use that they've been put towards, so I don't want to take those risks and say, well, we'll try to do, you know, do it in house even though we don't have the expertise. So it was really a consideration of making sure that we limit the County's exposure on liability by getting somebody who's dealt with these types of audits before, who knows how to address jail bond inquiries, and certainly the portions of the audit that we could address internally, we've provided all that information. I think that was a lot of savings.

MR. HOFFMAN: I think Mary Anna told us the amount at risk.

MS. DASKAS: Well, the subsidy itself over the life of the bond is 171 million, so it's a serious matter, and I think I concur with Zenna.

MS. ELHASAN: You don't risk --

MS. DASKAS: Yes. And Jeff, he's an expert, he's dealt with these IRS agents.

MR. HOFFMAN: I just wanted to get that on the record.

MS. DASKAS: But, yes, it was 171 million is the --

MS. ELHASAN: And I certainly appreciate the inquiries, these are all accurate and adequate questions, and I appreciate the fact that you've brought that to light. I think it's very important to look at what our exposure is and make a determination whether this is something we really want to risk the County's exposure on. You'll recall we did a similar engagement during the Federal investigation, do we have internal resources. Unfortunately that did not pan out to our favor, and we had to do what we could in-house to take care of that, and it all worked out, but this is not something that you sort of just put all up in the air and say, well, we'll see how it works out, certainly not when you're talking about a multi-million dollar risk.

MR. HOFFMAN: Thank you, Madam Chair.

MR. SAROS: Yeah, I'm in complete support of an expert for the exact reasons that have been stated, I mean it's way too much money, it would be ridiculous to

not. But one question: By starting out with a $30,000 figure that we know isn't going to be accurate, I mean we've basically, in my opinion, given an open end deal from -- once they're into that 30,000, it's not like -- and they rebill, add to that, it's not like we're going to be able to say no or let's start over with somebody else. So is there a way to cap that? I understand that, from your statements that you don't really know what questions the IRS is going to ask, et cetera, but could there be a worst case scenario, would the law firm be willing to say, okay, it's not going to be more than X, because if not, I don't even know why we have the $30,000 commitment, because you're basically just saying whatever it is at the end is what we're going to pay.

MS. ELHASAN: I can appreciate that, and I'll be as candid as I possibly can. We started with a $30,000 contract because we thought that this was going to be used from the General Fund, that's the intent going into it, and so the procurement ordinance of the County requires that we have internally a $30,000 cap, and anything beyond 30,000 has to go to the Commission for approval. So we can't wait to get approvals for Jeff to start his work because we're on a time deadline. The IRS wants a response by a certain date, and I can't tell Jeff, hold off until I get your contract approved

before you start any work. That was the basis for starting with the $30,000 contract.

I did ask for a cap, and we had this discussion, a long drawn out discussion about whether Jeff could limit his fees to a certain cap, and while I can appreciate the work he does and the difficulty in capping it, I did make the request, and he told me the same thing I've told you today, it's impossible for him to say whether this is going to string out for a year, two years, maybe shorter, maybe longer, and so it was difficult for him to say we'll just cap it at 40,000 or we'll cap it at 50,000 not knowing the other side, what could be expected of us.

MR. SAROS: And was Miller Canfield and this particular gentleman the only person that's capable in our Detroit Metropolitan Area of handling --

MS. ELHASAN: On our list of County approved outside counsel firms, he is probably at the top of that list for individuals who would be able to handle this type of work, yes. And Miller Canfield worked on the bonds for us, I mean they've got the expertise, they've got the experience, and they've got the background. Certainly wouldn't want to bring somebody in who we'd have to -- there would be a learning curve just to start from, you know, square one and move forward, they had

all that knowledge already.

MR. SAROS: I just meant from a point of leverage of perhaps there's another counsel out there who would like the opportunity to get their foot in the door, let's say with the County, and would be willing to give a cap and to be able to go back to someone like Jeff and say we do have another firm that would be willing to cap, could you reconsider that. I mean I think at this point it's probably too late for that.

MS. ELHASAN: Yeah, I think that's a good question, and my response to that would be there are certainly firms out there who probably could have made that pitch but would have spent 50-plus hours learning about the bonds and what if it would have resulted in the same expense at the end of the day. Sometimes you get what you pay for.

MR. SAROS: Thank you.

MR. HOFFMAN: A suggestion based on Member Saros' comment, can we change the language to --

CHAIRPERSON DeHART: That's what I was going to ask.

MR. HOFFMAN: -- not to exceed without Board approval or something just so that we don't indicate that we are kind of capping it at the 30,000 but that this is an initial cap and we're acknowledging --

CHAIRPERSON DeHART: I think any increase has to have Board approval.

MR. HOFFMAN: I know that, but to say it in the resolution as opposed to not to exceed, which to a reader of the minutes would look like as if we initially are saying that it's only --

MR. VASLO: Doesn't Number 2 cover that?

MS. ELHASAN: It says not to exceed, and any additional funds would have to be approved by this body, anything beyond.

MR. HOFFMAN: I'm just saying can we say that in the resolution so that --

MS. ELHASAN: I have no objection, absolutely.

MR. HOFFMAN: -- we acknowledge the fact that this is kind of a fallacy, that the not to exceed number is based on an initial estimate of the initial work.

MS. ELHASAN: Absolutely.

MS. DASKAS: Sure.

MS. ELHASAN: I have no objection to that.

CHAIRPERSON DeHART: So the motion will be not to exceed the $30,000 mark, is that what you're saying?

MR. HOFFMAN: Not to exceed 30,000 without --

MR. VASLO: Got to come back --

CHAIRPERSON DeHART: Which they would have to do, anyhow. We'll make it part of the minutes.

MS. ELHASAN: Correct.

CHAIRPERSON DeHART: Zenna, would it be beneficial just because of public scrutiny to, since you know it's going to go over 30,000, to have that figure higher now instead of keep coming back --

MR. HOFFMAN: Problem with the Commission --

MS. ELHASAN: No, so we can amend it right now if that's the preference of this body.

CHAIRPERSON DeHART: I just think the less times that we increase it, the less public scrutiny there is.

MR. HOFFMAN: But I thought you said if it's 30,000 --

MS. ELHASAN: That was when I thought that the General Fund would have to pay for this engagement.

CHAIRPERSON DeHART: There's a cap on General Fund expenditures --

MS. ELHASAN: So we just kept the contract as is, we didn't want to change the terms of it, so we kept it at 30,000. We could certainly --

MR. VASLO: Why don't we just make it an even 100 hours and 35,000; that's 100 hours.

CHAIRPERSON DeHART: I was going to recommend --

MS. ELHASAN: If we're going to amend, I

wouldn't go up just $5,000, I would do 50.

CHAIRPERSON DeHART: That's what I was going to recommend, 50,000.

MS. ELHASAN: I would do 50,000.

CHAIRPERSON DeHART: And if they don't spend it all, it's okay.

MS. ELHASAN: Yes.

CHAIRPERSON DeHART: So --

MR. HOFFMAN: Except they know it's there.

MR. VASLO: And they're going to spend it.

MS. ELHASAN: No.

CHAIRPERSON DeHART: But, you know, with firms of that reputation, they're not going to --

MS. ELHASAN: No, we've closed up contracts with balances before that funds have been obligated on a contract and have not been used up, so we've closed contracts before. He has to justify the work, can't just spend --

CHAIRPERSON DeHART: We need an amendment to the main motion.

MR. HOFFMAN: I'll move to amend the 30 to 50,000.

CHAIRPERSON DeHART: Is there support for the amendment?

MR. VASLO: He was the mover or supporter?

CHAIRPERSON DeHART: Well, you don't have to have the same person. We're just going to vote on the amendment, then we'll vote on the main motion as amended.

MR. VASLO: Why do we want to do that?

CHAIRPERSON DeHART: Because it's less public scrutiny. I mean if you come back five times to raise it, raise it, raise it, I'm going to get a phone call from Heather Catallo, and if we put it here, just come back another time or two to raise it, I think there's less scrutiny.

MR. VASLO: So the Chair wants to raise it and feel all right with that?

CHAIRPERSON DeHART: I feel very comfortable raising it to 50,000.

MR. VASLO: I'll do what the Chair wants.

CHAIRPERSON DeHART: Blame it on me.

MR. HOFFMAN: Is that a support or --

MS. ELHASAN: Reluctant support.

MR. VASLO: Well, yeah.

CHAIRPERSON DeHART: There's been an amendment put forth and a support for that amendment to raise the cap not to exceed to 50,000 and make that part of the main motion.

MR. VASLO: What does Jim say? He's not happy

with that.

MR. SAROS: Well, I just don't know that we should play to that. I mean I understand as well as anybody about, you know, the scrutiny, but I couldn't care less about that scrutiny, I don't think it should come into play as to the decisions this Board makes, and I think it's $30,000 that has been negotiated at this point or, you know, I understand, what you're saying is realistically, if I understand you right, that we're going to be over this $30,000.

MS. ELHASAN: Yes.

MR. SAROS: But I don't know, my experience is with attorneys, and I bow to your expertise, but if you put $100,000 out there, they're going to spend $100,000, and I know the work has to be justified, but I do things that are by the hour, and I can justify a whole range, you know, on what you do and what you don't do. So I'm more comfortable keeping it at the 30,000 with full expectation it's going to be more than that, but why not, if that's really what it is, then why should we play to any other -- why should we play to any other reason, and it's an honest approach to --

MS. ELHASAN: I mean if you want to consider, I don't know procedurally if it would be appropriate to keep this contract at 30,000 and provide authorization

to go up to an additional 20 if needed internally for us, and provide that authorization today by virtue of a resolution, I think that can be done so that we send out a contract that on its face is $30,000, but this Board is providing authorization to go up an additional 20,000 without coming back for those approvals. Is that something that would --

MR. HOFFMAN: So it would say something like not to exceed 50,000, 30,000 of which would be immediately available, and 20,000 would be approved by staff as needed and --

MS. ELHASAN: As authorized by this Board.

MR. SAROS: I mean I think this body has been very proud of the fact that we've been honest and upfront about everything, as has the Administration, and you've just demonstrated for us again that you're just being honest and up front that, look, it's $30,000, you gave us the reason why it had to be at 30,000, but in all -- you know, from a realistic standpoint, it's expected to be more than that, expected to be more than that because you're going to save or you're at risk of $171 million, so let's not be stupid over, you know, some additional maybe tens of thousands of dollars. If that's the real reason, then let's just put it on the record, you know, and if it comes back more, then public

scrutiny is fine, they come back and say go back to our records, we knew this, you know, from the beginning these were the reasons why and --

MS. ELHASAN: But I can appreciate what you're saying, to just limit this to 30,000, so on its face they say, okay, well, it's 30,000, let's try to stay within 30,000. Now, whether that's going to happen or not, I can't say, but I can appreciate that request, and if the recommendation I have made is something that is workable, then we can have a resolution to that effect.

MR. SAROS: I think we all appreciate your frankness, that, look, this just isn't going to get done for $30,000 unless I get really surprised, you know, so I mean if that's the truth, why not, you know, let's just -- that's my opinion.

CHAIRPERSON DeHART: So, Frank, do you want to withdraw your support of the amendment?

MR. VASLO: So, Jim, what are you --

MR. SAROS: I'm saying keep it at 30, with the understanding that, you know, you're going to do the best you can, as always, to limit that exposure.

MR. HOFFMAN: But the question is whether or not that 20 they need to come back to us or they can do it by staff.

MR. SAROS: Right.

MS. ELHASAN: And what I would do is, if I can respectfully propose, if the additional 20 is needed, I'll advise, you know, based on the authorization if it's provided today to go up to that additional, go up to 50, I will provide you with notice of that. We won't just unilaterally do it without providing notice.

MR. SAROS: Will Miller Canfield know?

MS. ELHASAN: No.

MR. SAROS: That just stays within here?

MS. ELHASAN: Unless they look up the minutes. I'm sure they have better things to do.

MR. SAROS: I know, we all do.

MS. ELHASAN: Like, you know, a lot of the responses to this IRS audit.

CHAIRPERSON DeHART: Did you want to withdraw your support for the amendment?

MR. VASLO: Yes, and then we're going to --

MR. HOFFMAN: Can you restate where you think we are.

CHAIRPERSON DeHART: Okay. Right now we have an amendment on the floor that raises the cap to $50,000. It was moved and supported. If Mr. Vaslo withdraws his support, that amendment will fall for lack of support, and then we can go on to another amendment.

So do you withdraw your --

MR. VASLO: I do.

MR. HOFFMAN: But isn't that what we're tying to do?

CHAIRPERSON DeHART: But we have to get rid of this amendment first. So hearing no other support for the first amendment, that amendment falls for lack of support.

Now, another amendment is in order to cap it at $30,000, giving Corporate Counsel the latitude to go up another $20,000, and just simply to notify us that the $20,000 threshold is going to have to be reached.

MR. HOFFMAN: Without subsequent Board approval.

CHAIRPERSON DeHART: Correct.

MR. HOFFMAN: And that anything over 50 would require subsequent Board approval.

I'll so move.

CHAIRPERSON DeHART: Is there support for that?

MR. VASLO: I'll support that.

CHAIRPERSON DeHART: Is there any discussion on that?

(No response.)

CHAIRPERSON DeHART: Hearing none, I think we should do a roll call vote on that, please.

Aren't you guys glad that I'm a parliamentarian?

MS. GRANDISON: Eileen DeHart.

CHAIRPERSON DeHART: Yes.

MS. GRANDISON: Frederick Hoffman.

MR. HOFFMAN: Yes.

MS. GRANDISON: James Saros.

MR. SAROS: Yes.

MR. GRANDISON: Frank Vaslo.

MR. VASLO: Yes.

CHAIRPERSON DeHART: That is the amendment. Now we're going to vote on the main motion as amended. Is there a motion -- we already have a motion for that. All those in favor of the main motion as amended.

(In unison): Aye.

CHAIRPERSON DeHART: Opposed?

(No response).

CHAIRPERSON DeHART: Motion carries. Okay.

MS. GRANDISON: Can I ask a question, just so I have it correct, I just want to restate. Cap at $30,000, Corp Counsel can go up to $20,000 with Board notification.

MS. ELHASAN: An additional $20,000.

CHAIRPERSON DeHART: Giving Corporate Counsel the latitude to increase it up another $20,000 without

Board approval but simply with Board notification.

MS. GRANDISON: Okay. Thank you.

CHAIRPERSON DeHART: All right.

MR. HOFFMAN: And that anything subsequent to that would require coming back.

CHAIRPERSON DeHART: All right. Informational Items. We did have a motion on the agenda to remove Item Number 1 under Informational Items.

Item 2, RFP for Construction Consultant, and we have a Draft. Anybody want to --

MS. ELHASAN: So I'm sure you're all happy to see Bob Newton at the table again.

MR. HOFFMAN: Absolutely.

MS. ELHASAN: You may recall back in March I think it was we came to this body and advised you that we were, for lack of better term, terminating our contract of employment with Bob Newton simply for financial reasons, and there wasn't the need at the time to pay the amounts that we were paying for the services that were being rendered, notwithstanding the fact that they are stellar services, but in the interest of being economically prudent, we thought it best that we just terminate those services, and with the understanding and I think we advised you at the time that if there was a necessity to bring Bob back, we would bring him back.

So Bob is back on a limited basis, and he has been working on a couple of things, certainly working with us on responding to the IRS audit, but the other thing that he's also working on is the facilities maintenance RFP that we put out a few months back. DLZ was awarded that contract. They are doing their assessment of the three jails and Frank Murphy Hall of Justice. Bob has been instrumental in making sure that that assessment is being appropriately done and being done in a timely manner so that we can get the numbers that we need to make decisions on how we proceed with either making capital improvements for existing facilities or completing Gratiot, or both, depending on what we end up looking at as a more feasible approach.

Having said all that, I don't think there's anybody sitting around this table that believes the County is well suited to make decisions about how to build a jail. We tried that the first time around. That did not work out to the County's benefit, so we thought it might be appropriate to have a consultant who is fully apprised, aware, has the experience and knowledge to provide feedback as to what, if we do have a number of options, what works best for the County, what should we be looking for, what should it cost the county, what do we need to get the job done. And so

you'll notice in the RFP that is before you, the scope of services specifically spells out what the County would be looking at for any type of engagement to complete the Jail Project and what the consultant services would be relative to that RFP.

Bob is here because he was instrumental in putting together the RFP, certainly can answer questions related to that. This is another project that would be paid by bond proceeds because, again, it's bond eligible costs, and so it would be this Board, the Wayne County Building Authority that would be issuing the RFP.

CHAIRPERSON DeHART: Any questions? Frank?

MR. VASLO: I was looking at the -- Bob, you did the scope of work -- fee on things like this. We have, you know, costs of architectural and engineering services required through certifications of substantial completion, schematics, drawings, layouts, location of County supplied installed equipment, layout and locating County supplied installed FFEs, rough-in work for the laundry equipment, the list kind of goes on. We don't have a lot of that available now or what are we asking this consultant to do with that?

MR. NEWTON: The consultant really will be preparing RFIs and RFPs.

MR. VASLO: One moment, can I ask an initial

question: This is for Gratiot?

MR. NEWTON: This is for Gratiot.

MR. VASLO: So Gratiot is where we're going.

MS. ELHASAN: No -- decisions have been made, this is for Gratiot.

MR. VASLO: This is for Gratiot.

MR. NEWTON: The consultant would be employed to do several things. One is that the understanding would be that there would be several contracts that would be held by the Building Authority. One would wind up being an architect engineer. One would be an inspection and testing services. One would be a company to do an initial assessment of what's there and what do you have to do to get it in shape to build. There is about five different things in the construction contract. All of those would require RFPs, and this person would be expected then to prepare the RFPs. He would be expected to then go out and solicit proposals and bids for each of those contracts that would be held by the Building Authority. He would be making recommendations. So basically this person would be -- he would have an overarching responsibility to the Building Authority that would go from start of the project through acceptable -- bids from a contractor and award of a contract.

Now, what you don't have in front of you, there is an alternate that would carry -- that would be a separate pricing to carry the services then through the construction process. There's no time addressed in this RFP for completing the work, nor is there anything in there that says here's the number of bodies, here's what you have to do in order to complete the scope of work. The scope of work is spelled out. I'm expecting in his proposal that he will come back and say that he can do this for X number of dollars and he can do it by himself or supplemented in the field with a field engineer and a clerk. It would be up to the responder to come back and tell us how he would see fulfilling the obligations of the scope of work.

Now, there's also in there qualifications for this person that you're going to -- if you haven't taken a look at, you need to take a hard look at the qualifications, because they're very specific in terms of what we want to see in terms of experience, size of projects that's been done, what is his track record, so that's spelled out in there.

The pricing sheet also requires a breakdown of the costs, and that's well spelled out in terms of it's a lump sum number, but the number then is required to be broken down so we can see what the rates are, how many

people, so on, and how do you get that final number.

MR. VASLO: And so those processes that you're spelling out to me right now, see, I'm not a construction, guy I don't know anything about this kind of stuff, and that's why, you know, for months and months all I've ever heard from are lawyers, so I need construction people to tell us are we on the right track. In your opinion, this is the correct path for us to follow now?

MR. NEWTON: That's right.

MR. VASLO: Okay. And you're comfortable, you've spent obviously an enormous amount of time looking at this document, preparing this document, making changes specific to this document in this project. You're good with this, Bob?

MR. NEWTON: Well, I began with a template, but the guts of it, the qualifications, the scope, the pricing, those kinds of things are things that I put together, and that has been reviewed by several different people within --

MR. VASLO: And it took care of some of the shortfalls of the last system like where, you know, technology wasn't included in the initial bid, I mean how do you miss that, you know.

MS. ELHASAN: Which is why it's included in

what we would --

MR. VASLO: I know, I saw that, I was very happy with that, because I remember, you know.

MR. NEWTON: So it's something where you wouldn't take some kid out of -- just a construction management graduate with three or four years of experience, you would not put him on this type of a project.

MR. VASLO: Absolutely not.

MR. NEWTON: So the kind of person you're going to find will have some age and whiskers, he will have a lot of experience dealing with these kinds of projects.

MR. VASLO: Okay. Bob, you talked about qualifications. What page was that on? 6? 6 of 35?

MR. JOHNSON: I think it's 8 and 9.

MR. VASLO: Oh, minimal qualifications. Thanks, Tim. The insurance, the insurance seemed kind of low to me, 2 million, 3 million, something like that, did I see those numbers in there?

MS. ELHASAN: 200 million?

MR. VASLO: No, they're asking for the consultant to be involved in a project at 200 million. Liability insurance, we were asking for a minimum of 200 or 2 million? Does that seem right for a project like

this?

MR. NEWTON: It would depend upon -- there's going to be --

CHAIRPERSON DeHART: Bob, could you talk a little louder.

MR. NEWTON: Sure. At this point I have no problem in dealing with higher rates with insurance, that's not my issue. I think -- did we talk about that, Mary Anna? I can't remember.

MS. ELHASAN: Those are standard rates that the County --

MR. NEWTON: I was going to say --

MS. DASKAS: The insurance coverage in the contract itself, it does say 2 million for liability, but they're also required to have a $3 million umbrella.

CHAIRPERSON DeHART: In addition to the 2 million.

MS. DASKAS: In addition.

MR. SAROS: So it's 5 million.

MS. ELHASAN: Which is what AECOM actually had on the underlying project.

MS. DASKAS: Yes, so I mean as far as from the insurance aspect, this is correct.

MR. VASLO: Well, again, it just seems low in comparison to what we usually --

MR. HOFFMAN: -- related to the RFP, not related to construction of the project.

CHAIRMAN DeHART: Right, correct, because they would have to have their own liability and/or umbrella insurance policy.

MS. DASKAS: And they would still have to have their own liability umbrella policy even as a consultant at the first stage of this RFP, and this language within the contract itself, template, included in the RFP is correct, that's the County's standard language for professional service contract. And it does have a 3 million umbrella.

MR. NEWTON: One of the unusual requirements that I have in there is that the consultant has to have had experience on at least one project that had been stopped and had to restart.

CHAIRPERSON DeHART: There's a lot of them out there, huh?

MR. NEWTON: There are, there are people who -- I have personal experience with two where the financing actually failed, and it failed after projects were well under way. So in both cases, one was a project in Florida, I mean in North Carolina, the other one was in Nebraska, and the financing failed, both, each project sat for about a year. And the

Nebraska project was under -- was a HUD project, and so the requirement was to produce as-builts. Well, to come back in and produce as-builts on projects with say 15 percent, 20 percent starting was going to be a problem, so I sat down and talked with one of the officials in Washington and convinced them that we could photograph the entire building, and they agreed that that would function as the as-builts. And the project in North Carolina had a consortium, a bank consortium that refused to come forward after the project was about 70 percent complete, so we sat, the project sat for about a year, and then financing was negotiated with Bank of Scotland.

So it's important for someone to know what it's like to take a project that's partially done and to be able to come in and look at the nuances that it takes, the understanding of what it takes to restart a project. So that is a qualification that's in there, and I would not recommend ever taking that one out of there.

MR. VASLO: Okay. I'm good. Thanks. That's all I have.

CHAIRPERSON DeHART: Any other questions?

MR. SAROS: Bob, how do you view this differently than the owner rep scenario that we had in

this project from the beginning? How do you view these differences?

MR. NEWTON: It's quite similar except that -- and speaking frankly, the individual that is involved was never qualified enough to do the project, frankly.

MR. SAROS: Uh-huh. But AECOM/Ghafari, some of these services are the services that they rendered to us, correct? I mean the engineering and --

MR. NEWTON: They became the owner's representative in December of 2011 and was the owner's representative until the end of July roughly -- well, the end of May in 2012 so -- but that's a totally different story in itself. But this individual would be independent, an independent person or an independent company coming in with no relationship to anybody.

CHAIRPERSON DeHART: And they would answer to us?

MR. NEWTON: That's right.

MR. SAROS: No, but I mean their duties --

MR. NEWTON: The duties would be fairly similar. I think that I've gone to a little bit more length of expectation in terms of the kinds of contracts that would be held between the Building Authority and the various entities, and that this individual would be very much involved in the preparation of the RFPs, very

much involved in qualifying whomever -- I think the involvement, the actual involvement would be much greater than what was there in the beginning, in the beginning of the project.

MR. SAROS: Some of the committees that actually you and I both sat on, once the project was closed down some of the various consultants that we met with, I've almost lost track at this point, but there were -- there was one consultant in particular, and the name is slipping me now, but we met at the time with the former County Executive, you, myself, and a couple of other people from the Administration, and they did a thorough study that we paid for as to whether you could finish the project as it sat and what our options were. I remember specifically asking them if this project could be changed to fit within the existing budget that we had left, I mean kind of build what our budget -- what we have left in our budget, and the answers were fairly positive that, you know, you'd have to get to a number of cells, it might be 800 cells, it might be 500 cells, it might be 1,000 cells, but that it could be designed in a manner in which you could add on in the future when your financial situation differed. How is what we're requesting now different from what we requested then and already paid for?

MR. NEWTON: In this instance the budget -- the amount of money that's available will control what you get.

MR. SAROS: Right.

MR. NEWTON: So if you were going forward with Gratiot, the assumption was that you'd wind up with somewhere around 700 beds. That's kind of the starting point. And it will be up to them to look at reusing as much as we can and they have been going forward in such a state that in five years or whatever it is and you wanted to add more beds or increase its capacity, that the foundations and everything's already there, it's a matter of looking at it exactly in that fashion.

MS. ELHASAN: And, respectfully, just so I clarify something, I don't think the assumption is that what we have left in a balance in jail bonds will build a 700-bed facility, we still need somebody to tell us what can be built for what we have, is 700 beds enough or is it less or is it more, and how much will it cost to -- you know, obviously you're going to have to keep other facilities open if you're going to just build a 700-bed facility. So those are all still questions up in the air. I don't think we've gotten to the point where we know how much it's going to cost or what we can build with what we have.

MR. SAROS: But --

MS. ELHASAN: But this will get us to that point.

MR. SAROS: But have we already -- I mean we've been consultant to death since they decided I think it was in 2013 to stop the project, okay, stop the project, and let's re-evaluate. It sounded like a good idea at the time. But since that, which is I think about two years, all we're doing continually is spending more and more of this bond money on everything imaginable from attorneys to now more consultants. I know that there were a number of consultants brought in during that period when the project was stopped to say that -- you know, to give their opinions to what you could do and what you can't do. Are we just taking all that and throwing it away and starting over again or --

MS. ELHASAN: Respectfully, I don't think anything has been spent on consultants. If people have come in and gave us their opinion on what they think is best, it's been done based on their vested interest in trying to get some work out of the County. I mean I'm going to be as candid as possible. I don't think we've ever retained a consultant to work with us to look at the options and tell us with the County's best interest in place what's the best option for the County. There's

been a lot of lip service, there's been a lot of talk, there's been a lot of people who have wanted to give their opinion and say you really should do this, this is the path you should be going down, you shouldn't build it on Gratiot because, you know, it's the gateway to the City, you should build it on Mound, yeah, there's been a lot of lip service. I don't think there's been a single consultant that's been engaged by the County looking just for the interests of the County and what is in the best economic interests of the County that has been paid through bond proceeds or that the County has engaged actively or done through an RFP which sets forth specifically what the County would be looking at and what we want the consultant to focus its efforts on, unless I'm wrong, somebody correct me, but I --

MR. HOFFMAN: Let me ask a point of -- a telling question, and that is this effort is consistent with the new executive's path to try to resolve this issue.

MS. ELHASAN: Absolutely.

MR. HOFFMAN: And so to not take this path at this point potentially imperils what directions he's looking at in terms of making the final decisions.

MS. ELHASAN: So let me give you an example, Fred. We've -- and I think the last time we met here

when we were talking about the pending litigation, we expressed to you our interest in looking to see what AECOM could still do, to try to, you know, let's talk settlement, let's see what sort of options are out there. So let's say AECOM makes this fascinating proposal and says we can give you A, B, and C. Well, Zenna doesn't know if A, B, and C is a good option. I've never built a jail, the County's not in the business of building a jail. I wouldn't know what sort of architectural services I should be looking for. I wouldn't know who I should be working with at AECOM or who I shouldn't be working with, what sort of RFIs should I put out, what sort of information do I need to gather in order to make a decision of whether AECOM's proposal makes sense for the County, because we're not in the business of building jails. We're not in the construction business. This is the very purpose of this consultant, whether it's something we receive from AECOM or whether it's something we receive from another construction company that says, hold on, I have a better proposal for you, you really should look at this. It's almost as though these -- forgive me for saying it like this -- these construction companies could potentially take advantage of the County's inexperience and say, no, we've got the better proposal. Well, I'm not in a

position to make a decision whether Prop 1, 2, or 3 is in the best interests of the County because I don't have that background, I don't have that knowledge, I don't have that experience. The purpose of this consultant is to look at all those options and say wait a second, this is not what you want to do, this is going to cost the County more, this is not going to result in operational efficiency, you don't want to work with this company, you don't want -- you know, these specs aren't enough to get you what you need. I wouldn't know that on its face looking at even putting together an RFP to go out on the street to retain those types of services. So I hope that sort of makes sense as to why we think this consultant is absolutely necessary based on the decisions that we're trying to make. It's very difficult to make decisions notwithstanding a number of options that are being presented when you don't know whether the options are, in fact, the best thing for the County.

MR. SAROS: I don't disagree with one thing you said. My question was, Bob, when we stopped the project, we hired a group of consultants first to look at the financial, to go through all the financial records line item by line item. We then hired another company to see if there had been mistakes made during

the construction, if everything was in order, did AECOM and Walbridge do what they were supposed to do or not supposed to do. And then there was a third group that came in that you and I sat in, and there were a number of gentlemen who had looked at the project for a couple months period and came back with ideas as to what you could do and what you couldn't do. Do you recall that?

MR. NEWTON: Yeah. There's a report from Hubbell Roth which was a requirement back in 2013, anyway, the Hubbell Roth report was to say how -- determine how the project got from Point A to where it was at the final day, and they did that. We had people coming in --

MS. DASKAS: Experis did the subcontractor audits.

MR. NEWTON: They did the subcontractor audits which was a requirement of the contract, and that was to verify amounts owed and that sort of thing. The other --

MS. DASKAS: Did CGL come in?

MS. ELHASAN: We didn't engage CGL. They came in just like any other --

MR. NEWTON: CGL, they said let us see what they could do.

MR. SAROS: That's who we met with.

MS. ELHASAN: And that was not accounting consultant, I just want to be clear.

MR. NEWTON: That was a freebie.

MR. SAROS: So we didn't pay for that.

MS. ELHASAN: No.

MR. NEWTON: That's right.

MR. SAROS: But --

MS. ELHASAN: They have an interest in getting the business.

MR. SAROS: Yes, and they submitted -- it was impressive.

MS. ELHASAN: Yes.

MR. SAROS: I mean they --

MS. ELHASAN: To build the jail. They submitted a proposal not to consult on the County's options. I just want to make sure that we're looking at two different --

MR. SAROS: Yeah, I mean it was an option to build, to continue building what we had. So I mean their findings --

MS. ELHASAN: It was for Mound Round.

MS. DASKAS: It was for Mound Road, not for continuing the project on Gratiot.

MS. ELHASAN: Yeah, they presented to the Commission.

MR. SAROS: No, they gave a comparison.

MR. NEWTON: They gave a round number for --

MS. ELHASAN: They gave an operational comparison about what it costs to currently maintain the facilities and what the savings would be generated from operating at Mound. Those are the comparisons.

MR. SAROS: No, well, we talked extensively at that meeting about continuing Gratiot, building what you could at Gratiot, and changing the design so that you could add on at a later date. That was a long, arduous discussion.

MS. ELHASAN: Yeah, because when they submitted their proposal and they presented it to the Commission, and correct me if I'm wrong, Pam, it was to build at Mound.

MS. LANE: I believe that's right.

MS. ELHASAN: That was the proposal.

MR. NEWTON: They backed away from Gratiot. Anyway, they were -- for them, anyway, they indicated that, in their opinion, that Mound Road is cleaner, they could put together numbers that they could stand by, but in Gratiot they were not so certain.

MR. SAROS: Okay.

CHAIRPERSON DeHART: And keep in mind this is simply to put forth an RFP, this is not going to cost us

a penny. So all this discussion is probably better posed when someone comes forth before us and --

MS. ELHASAN: If it's awarded.

CHAIRPERSON DeHART: That's awarded the RFP.

MR. SAROS: I know, I guess I'm frustrated from a standpoint of, you know, we stopped construction on this two years ago, and so -- and for the last two years we've been doing nothing but paying bills, now, I mean monthly payments on bonds, storage costs, on and on and on. And all I'm asking really is any of the information that has already been gathered, since we have changed Administrations, is this present Administration, which is trying to do the right thing with the project that they have inherited, I get all of that. What I'm asking is is there any information that we've already received, I guess I'll say whether we've paid for it or whether it was presented in a manner in which it was a lead in to possible business for them, is any of that information useful in going forward or are we just basically starting clean? I mean, again, going back to AECOM, you answered this question, Zenna, but I mean AECOM and Ghafari, I mean is anything that they've done from the beginning of this that have been paid, you know, millions of dollars for, is that useful information for whoever we hire now to go forward and

give us our best options so that it doesn't take another long, long period of time with the clock running on continual costs each and every day. I'm just -- you know, build the damn thing, you know. It seems very apparent to me that the best option here, if you're throwing out Mound, is to continue building what you can on Gratiot. So do we hire someone to say give us that option, but let's get going. I mean it just seems like we're -- you know, how long is it going to be to find this -- what's the process time, estimated process time in the answer of this RFP to come up with someone, and then how long does that take? So are we still sitting here next year at this time at the same place except that we've incurred another 12 months of bond payments and every other kind of payment that gets made.

MS. ELHASAN: Let me answer your first question, and then with respect to the process time I'll defer to Bob. I certainly appreciate your frustrations. I've been living it just as you have. And it'll be a dream come true when we put the shovel in the ground yet again, and this time when we actually know the numbers and get it done. However, those are very difficult decisions that we have to make, and they're decisions that have to be grounded on enough information, enough background, and enough experience. Whether we can use

prior information to benefit us and not re-invent the wheel, absolutely, because I'm looking at this as two separate tracks. One is we have these options, a number of options, whether it's -- I don't want to name construction companies that have come because I don't want them to be eliminated from the race, if you will, but there have been a number of pitches that have been made. Which pitch is the best for the County, that's strictly what this consultant will be able to help us with, but that's a lot of useful information that we can obviously present to this consultant and say here's all the options, here's all the information we've been gathering over the course of the last couple of years. Here's what AECOM and Ghafari has given us. Here's what this company has provided. Here's what we have on, you know, building an 1,800-bed facility, building a 700-bed facility, building a 1,200-bed facility. Putting all those things in motion, what works best for the County based on our finances, based on where we're at, based on how long the site has been sitting in the condition it's been sitting in, based on the materials that we have in storage, how can you use all of that to complete the project? That's precisely what this consultant will be able to help us with. And if additional services are needed to effectuate that, to finish the completion, to

get it done, this consultant should be able to tell us what those services are and how to retain those services, how do you tap into the most important people who are going to help you cross that finish line. So we're not getting rid of everything we've been able to gather, we're not getting rid of all the information that we've been able to secure over the last couple years, that's going to be very valuable information, it's just a matter of putting all those pieces together, rightly so, and getting it done.

I don't want to -- you know, we're not going to just say, well, oh, AECOM, this is great, this looks really good on its face, but not know what the architectural services are going to cost us, what sort of bids we need to put out, what additional information do we have to gather?

MR. SAROS: I guess it's only --

MR. NEWTON: I have a list in here of the documents that would be available to the consultant, and these are all --

MR. SAROS: I guess we're all a little anxious I think on this Board, if I'm not mistaken, it was only Eileen and I that were there originally, Frank and Fred get to claim that they were not part of that decision. But we were told by the past Administration

that AECOM, formerly known as DMJM, was the preeminent expert in the country at building correctional facilities.

MS. ELHASAN: And they still are, believe it or not.

MR. SAROS: So I mean now we're going to try to find someone else that has great qualifications, you know, et cetera. I'm just saying it's not a --

MS. ELHASAN: And the process is one that you will actively participate in.

MR. SAROS: Yeah. We didn't participate in that process. It came to us as these are the people that you should -- these are the people that you should use. We've done all the vetting, we've done all the interviewing, and these are the people you want to use, and they gave all the experience, et cetera. And from our viewpoint, we'd make that same decision again based on the information that we were given.

CHAIRPERSON DeHART: Because we're not experts.

MR. SAROS: No, I mean, you know, to build a correctional facility is -- it's a special expertise obviously. So all I'm saying is that I think that timing at this stage is extremely important, and that we ought to push this process through. I am assuming,

Zenna, that the relationships or the negotiations with AECOM and Ghafari doesn't allow for them to continue in some fashion to the benefit of all of us. I mean I think that they -- it's been particularly Ghafari, I think, you know, probably knows this project better than anybody.

MS. ELHASAN: Doesn't provide for that, you said?

MR. SAROS: I mean, no, I mean I know there's issues, legal issues that I'm sure you can't speak to would prevent them -- would prevent us from entering into an agreement with them to say pick up where -- let's work this out --

CHAIRPERSON DeHART: We're not precluded from doing that.

MS. ELHASAN: I wouldn't say that that's an accurate, with all due respect, an accurate statement.

MR. SAROS: No, I'm asking --

MS. ELHASAN: If it's a question, no, my answer would be no. There isn't anything preventing us from engaging their services again, but it's -- I mean that's all got to be taken in conjunction with the litigation that's currently pending, and I know you appreciate and know that.

MR. SAROS: Sure.

MS. ELHASAN: So, no, we're not precluded from that.

MR. SAROS: But how long -- I mean how long do we estimate that this process is going to take?

MR. VASLO: The RFP process?

MS. ELHASAN: If we can put the RFP out this week --

MR. HOFFMAN: Madam Chair, I was just looking for the comments that Judge Kaufman made at the last meeting, and I couldn't put my finger on them, but it seemed that this needs to tie with the financing piece that he needs to turn in to the State, I thought by the end of the year.

MS. ELHASAN: January 31st, 2016.

MR. HOFFMAN: Or January, so there is a drop dead in the system of which this has got to fly in that same flight path.

MS. ELHASAN: Yes, a plan needs to be proposed or presented to the State by January 31st, 2016, in accordance with the consent agreement.

MR. HOFFMAN: And he seemed to sit here and indicate that a decision on direction of the jail would be an essential part of that.

MS. ELHASAN: Absolutely, for a number of reasons, one of which is this will be the third winter

that the Gratiot site sits.

MR. VASLO: Open.

MR. HOFFMAN: So you have the financial plan, you've got the lawsuits, and you've got --

MS. ELHASAN: Conditions.

MR. HOFFMAN: And you've got the Bob Newton stuff all flying.

MS. ELHASAN: Absolutely. And we're looking at this as all simultaneous track, I mean we're not slowing down on any one part of that. I think we're looking at them all collectively so that we can get this thing moving.

MR. SAROS: From a business decision, and I'll conclude, from a business decision standpoint, if this was a project to oversimplify that we are considering doing, then -- and we're going to gather information to make a prudent decision as to whether we should go forward or not, you take a different track than what we have, and that is that, you know, we have this horrible set of circumstances where you've got a partially built facility, and that's already been several millions of dollars borrowed that keeps getting paid on every single month, and all the other related costs that go with it, and I would just like to see, I mean, a sense of urgency on coming to some conclusion. I mean I think sometimes

just not having a decision at all is worse than making the wrong decision. I mean I don't know that there's ever going to be a totally right decision on where we're at now going forward.

MS. ELHASAN: Well, and a lot of that is dictated by finances, too, and a lot of it is also dictated on our attempt to try to resolve litigation as well. So there's so many moving parts, and while I can certainly agree that sometimes no decision is not better than a semi-good decision, in this particular circumstance I think we need a pretty good decision, particularly based on the mishaps that have occurred in the past. We don't want to re-invent the wheel or history in that sense, and so we are making sure our T's are crossed, I's are dotted before any decision is made, and certainly that our finances are in order. You don't want to jump into something that you can't afford so --

MR. SAROS: But you also don't want to get two years from now where there's no bond money left to --

MS. ELHASAN: Agreed.

MR. HOFFMAN: Because you've got 171 million exposure.

MR. SAROS: Yes.

MS. ELHASAN: Yes. But I hope that you can appreciate that a lot of due diligence has been done,

and I just want to make sure that we put that out there. There has been extensive due diligence done and making sure that every option that has been presented is adequately assessed to see whether it's something that the County thinks is feasible. We've left no stone unturned, so hopefully in the next few months we can come back here and say we finally made a decision.

CHAIRPERSON DeHART: That would be very nice. Okay.

MR. NEWTON: There's this drop dead date of January 31st, and so the County's got to come back to the State and say that this is our plan for Gratiot. Either there's no plan or there is a plan, they want to see a plan for what are we going to do about -- the jail. So this becomes a first step in beginning to -- that part of the process. We've worked on some soft costs, Mary Anna and I have worked on soft costs, we've done a lot of other things to get prepared for pulling all the pieces together and looking what the final number is and then crunching in terms of what are the costs and what is our ability to borrow.

MR. SAROS: Well, about two years ago or so, and my frustration, and I'm sure I can speak for my fellow Board Members on this, is over two years ago we requested over and over and over again an owner's rep

to -- RFP for an owner's rep to be -- to where we're at right now, and what was done was there was an RFP put out, and it was answered by a number of different parties, and then it was decided, no, we don't need an RFP. To this day I'm not sure why. And that, again, is the past Administration. But my point is it seems like here we're two years later, and what we're basically doing is asking for the same thing. Maybe the set of circumstances have changed, but in that two years there's been a ton of money spent doing -- when I say doing nothing, I don't mean doing nothing from a standpoint of information gathering and trying to make best decision. I'm talking about doing nothing as far as the progress of getting a jail built. So two years ago we would have been in a better position than now from a standpoint of finances tying that in to build what they do. I don't build jails, but I build buildings. And two years ago we had more money to construct what we have than we have now, and right now we have more money than what we're going to have two years from now, provided that we don't have some Guardian angel come in, whether it be the State or someone else. So all I'm saying is urging this, I think we're all pleased with this present administration and how hard everybody's working and trying to get to the

end result, but I'm just urging to let's get to the end result as soon as we can. I don't think it's overly complicated what we have at this point. I think that the complication is exactly as you just stated. It's tying in your money that you have left to any possibilities of additional funding to what you have in the ground now, to what you need to have. I think that it's greatly exaggerated how intricate you have to be with what needs left to get built if that's the decision. So I would just like to see a sense of urgency of getting this project finished to the best of its ability now with a possibility of addition -- whatever we're going to build now is not going to be adequate, whether it's 2,200 beds or 3,000 beds, our present CEO when he was not CEO yet and was actually interviewed to be a consultant, said you need 3,000 beds, not 1,750 beds or not 2,100 beds. He's a very knowledgeable man when it comes to correctional facilities. So do we need 3,000, do we need 2,000, do we need 1,500? Whatever that is, we're not going to be able to build that now, anyway.

MS. ELHASAN: Yeah, which is why I said that, you know, any decisions that are being made would have to account for what facilities we maintain, we keep open, of the existing facilities.

MR. SAROS: Yes, and I get that. And your comment is exactly right, because you say, look, I'm not an expert at building jails, but you are an expert at saying we're not going to be able to build what we actually formally need, we can only build so many. So I mean, yes, prudent to pick someone to lead that way, but I'm just asking for a sense of urgency to get to that person or company as quickly as we can.

CHAIRPERSON DeHART: And I think the consent agreement has absolutely set a sense of urgency as far as timing.

MR. HOFFMAN: Do we need any resolution or is this informational?

CHAIRPERSON DeHART: We do not, this is informational only.

MS. DASKAS: I just want to comment on Mr. Saros, just so we're all clear, the past two years whatever has been spent as far as the operating costs and the jail cell has not been used from bond proceeds. Nothing has been spent for any consultants or anything from the bond proceeds. So I just want to make that clear, that we're not spending any money unnecessarily from the bonds. It would have had to come before you if we did. So it's all been the past two years out of the General Fund money.

MR. SAROS: And thanks for that clarification.

MS. DASKAS: Yeah, I just wanted it on the record, it wasn't the bonds being used.

MR. SAROS: No, I get that, but some of those funds like our interest and things like that --

MS. DASKAS: They would have had to be paid, anyway.

MR. SAROS: They would have had to be paid, anyway, but at some point it stops because you're using the facility. I mean not the interest payment stop but there's funds generated from the facility, from the operation.

MS. DASKAS: Savings from the operation.

MR. SAROS: Savings from the operation. But whether it's bond fund money or Wayne County general money, it's still money that's coming out of the County, if you will.

MS. DASKAS: Correct, it's approximately $700,000 a year.

CHAIRPERSON DeHART: Okay. We've had a very good discussion on this. Anything else, gentlemen?

Public Comment?

If not, there's a motion in order to adjourn.

MR. VASLO: So move.

MR. HOFFMAN: Support.

CHAIRPERSON DeHART: All those in favor?

(In unison): Aye.

CHAIRPERSON DeHART: Opposed?

(No response.)

CHAIRPERSON DeHART: Motion carries.

(The meeting was concluded at 11:16 a.m.)

CERTIFICATE OF NOTARY

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

I, Laurel A. Frogner, Certified Shorthand Reporter, a Notary Public in and for the above county and state, do hereby certify that the above meeting was taken before me at the time and place hereinbefore set forth; that the foregoing was duly recorded by me stenographically and reduced to computer transcription; that this is a true, full and correct transcript of my stenographic notes so taken; and that I am not related to, nor of counsel to any party nor interested in the event of this cause.



Laurel A. Frogner, CSR-2495, RMR, CRR
Notary Public,
Oakland County, Michigan
My Commission expires: 4-22-2022

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