

CITY OF FLINT
RECEIVERSHIP TRANSITION ADVISORY BOARD MEETING
WEDNESDAY, APRIL 12, 2017
2:00 P.M.

Meeting before the RTAB Board at Flint City
Hall, Flint, Michigan, on Wednesday, April 12, 2017

BOARD MEMBERS PRESENT:

Frederick Headen - The Chairperson
Michael Finney (telephonically)

FROM THE CITY:

City Administrator, Sylvester Jones
Council President, Kerry Nelson
Council Member, Scott Kincaid
Interim CFO, David Sabuda

OTHERS PRESENT:

R. Eric Cline
R.L. Mitchell

REPORTED BY: Claudia M. Weekly, CSR-2963

1 Wednesday, April 12, 2017

2 Flint, Michigan

3 2:00 P.M.

4 CHAIRPERSON HEADEN: The meeting will be in
5 order, please. Gentlemen? The meeting will be in order,
6 please.

7 The first item of business is the roll call.
8 Mr. Finney is participating by phone. Let the record
9 reflect that we do have a quorum consisting of Mr. Finney
10 and I. Mr. Ferguson is unable to attend this afternoon.
11 He wanted to ask if he could be granted an excused
12 absence without objection, *the Chair will grant an excused absence.*

13 Also, I do want to note that Mr. Townsend has
14 resigned from the RTAB Board as of last month to accept
15 an assignment elsewhere. Mr. Townsend served on the
16 Board for about just over one year and did so with
17 distinction. I want to on the record thank him for his
18 service and wish him well in his upcoming endeavors.

19 The next item of business is the approval of
20 the agenda. There is one correction and several
21 additions to the agenda. The one correction is under
22 Item 1C there's a reference to the RTAB meeting minutes
23 of March 14th. That is a typographical error. We did
24 not meet on the 14th. It would have been March 8th.

25 Also, under Item C we have a third set of

1 minutes from the RTAB meeting of March 29th, 2017. And
2 under Item 3, new business, Item A should be, as it
3 traditionally is, the first item Mayor and Council, and
4 then current Items A and B should be re-alphabetized to B
5 and C.

6 I believe in addition to that, Mr. Cline, you
7 have several additions to the agenda.

8 MR. CLINE: Yes. Thank you. I want to add
9 under, well, now it will be 3B, Number 2, the resolutions
10 from the Council meeting from March the 13th, 2017. I
11 want to add Resolutions 131.1, 132.1, and 136.1 for
12 consideration. Those were left off that list. So, I
13 would like to take care of that.

14 CHAIRPERSON HEADEN: Are there any other
15 additions to the agenda? If not, the agenda will be
16 considered approved as supplemented and corrected.

17 The next item of business under Item C is the
18 approval of meeting minutes from various RTAB meetings.
19 We'll begin with the minutes of the regular meeting of
20 March 8th, which is Attachment 1. Is there a motion that
21 those minutes be approved?

22 MR. FINNEY: I move approval.

23 CHAIRPERSON HEADEN: I will second that.
24 Assuming that there are no corrections or additions we'll
25 consider those minutes to be approved.

1 Next is the meeting of March 27th, which was a
2 special meeting. Those minutes are also attached,
3 Mr. Finney, in your packet. Is there a motion that those
4 minutes be approved?

5 MR. FINNEY: I move approval.

6 CHAIRPERSON HEADEN: There's support. Without
7 objection those minutes are approved.

8 Finally, the minutes of the special RTAB
9 meeting on March 29th, is there a motion that those
10 minutes be approved?

11 MR. FINNEY: I move approval.

12 CHAIRPERSON HEADEN: There's support. Without
13 objection the minutes of March 29th are approved.

14 We have no unfinished business of which I'm
15 aware. That takes us to new business, Item A, Mayor or
16 City Council President. Mr. Branch or Mr. Jones,
17 anything on behalf of the Mayor?

18 MR. JONES: We have nothing at this time on
19 behalf of the Mayor. Thank you.

20 CHAIRPERSON HEADEN: Thank you. Is Council
21 President Nelson here? Councilman Kincaid, anything on
22 behalf of the Council President?

23 MR. KINCAID: I'm not the Council President,
24 but the Council President's not here. I don't know of
25 any issues that we have for the RTAB today.

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CHAIRPERSON HEADEN: Okay. Thank you. That will take us to Item B, the approval of resolutions and ordinances from City Council meetings. We will begin with the regular City Council meeting of March, I'm sorry, February 27th. We have under that Resolutions 97, 98, 99, 104, 105, 107 and 108. I'll call on Mr. Cline to please summarize the gist of those resolutions.

MR. CLINE: Yes. Thank you. Resolution 97 is a change order with William E. Walter and company in the amount of \$15,000 for HVAC support. Resolution 98 is with Argus-Hazco in the amount of \$251,000 for SCBA equipment for the fire department.

Resolution 99 is the approval of a commercial rehabilitation exemption. That was a public hearing that was held. Resolution 104 was a special order at the Council meeting to allow an update from the local conservation district.

Resolution 105 is a contract with LiquiForce for storm and sewer relining in the amount of \$2.5 million. Resolution 107 is for a charitable gaming license with the Bruin Club. And Resolution 108 was the appointment of Dione Freeman to the Board of Review.

CHAIRPERSON HEADEN: I will move approval of those resolutions. Mr. Finney, is there support?

MR. FINNEY: Support.

1 CHAIRPERSON HEADEN: Is there any discussion?
2 If not, those in favor of the motion please say aye.

3 MR. FINNEY: Aye.

4 CHAIRPERSON HEADEN: Aye. Motion is adopted.
5 That takes us to the regular City Council
6 meeting of March 13th. And there we have Resolutions
7 117, 118, 119, 121, 133, 134, 135, 148, 150, in addition
8 to the three added by Mr. Cline. Mr. Cline?

9 MR. CLINE: Yes. Resolution 117 is a damage
10 settlement with Kimberly Hicks in the amount of \$12,000.
11 Resolution 118 is a damage settlement with Enterprise
12 Holdings in the amount of \$15,000. Resolution 119 is a
13 settlement of the litigation Mitchell V Flint in the
14 amount of \$27,000.

15 Resolution 121 is a contract with Wade Trim in
16 the amount of \$242,000 for a redesign of the Battery A
17 Grit Chamber. This is a pollution control issue.
18 Resolution 133 is with Great Lakes Elevator in the amount
19 of \$168,000 for the refurbishment of the pump street
20 elevator, or I'm sorry, pumps, for the refurbishment of
21 the pump station elevator. I apologize.

22 Resolution 134 is with PSC Construction in the
23 amount of \$97,000 for the south water tank repainting.
24 Resolution 135 is with LJ Electric in the amount of
25 \$158,000 for the installation of sludge tank equipment.

1 Resolution 148 is a budget amendment in the amount of
2 \$47,000 regarding the Water and Flushing Credit Program.
3 Resolution 150 is a litigation settlement Telegenhof V
4 Flint in the amount of \$75,000.

5 The three resolutions that were added, 131.1 is
6 a contract with Johnson & Anderson for a storm assessment
7 management plan in the amount of \$1.65 million. This is
8 part of a State of Michigan SAW Grant Program. You have
9 Resolution 132.1, which is a contract with Hubbell,
10 Roth & Clark for the storm management plan, development
11 and implementation. This was a contract for \$880,000.
12 And you have resolution 136.1, which is an agreement with
13 the MERS system to reallocate pension reserves in the
14 City's pension system.

15 CHAIRPERSON HEADEN: Regarding Resolution
16 136.1, which is the MERS proposed resolution, can
17 Mr. Jones either you or Mr. Sabuda explain that? Because
18 Mr. Sabuda, you have in your budget to actual report, you
19 describe this item as a City Council resolution that was
20 recommended by MERS, Municipal Employees Retirement
21 System, which would change, you said, the employer
22 contributions from an original \$42 million requested to
23 \$20.6 million. Both will be defined benefit
24 contributions. Can you elaborate upon the difference in
25 numbers as to why it's reduced from 42 million to 20.6?

1 MR. SABUDA: Yes, I can. Thank you, Mr. Chair.
2 And good afternoon.

3 So, the way this, over the last few RTAB
4 meetings I've been bringing this issue to the attention
5 of the Board. Basically initially when the evaluation
6 was done in December of 2015 MERS came through with their
7 actuarial evaluation and stated that the annual
8 contribution would be \$42 million for the employer DB
9 pension, defined benefit pension contribution for July of
10 2017.

11 When we looked at this what ended up happening
12 is we had meetings with MERS; myself, Mr. Jones, the City
13 Administrator. Then we went to the Mayor, walked through
14 the issues with the Mayor. Then we walked through this
15 issue with City Council. And during this timeframe we
16 worked with MERS to come up with alternatives to fund the
17 defined benefit pension system in July of '17 and for the
18 next four years thereafter.

19 There were a number of items that we had to
20 work through. The first item that we had to work through
21 was there were three retiree groups that had no assets
22 associated with it. That was done for convenience
23 purposes when the system moved from Flint to MERS. That
24 was to ensure that pension benefits were paid monthly.

25 So, what we first, the first action that we

1 took was moving those retirees into their proper retiree
2 group where there were assets and there were active
3 employees that were contributing to the DB plan. That
4 lowered the value from 42 million down to 36 million.
5 That will be the annual contribution.

6 The actuaries then provided three actions that
7 we could choose from as far as what type of contribution.
8 We could then move the needle down from 42 down to 36,
9 now down to what is being recommended, which is Option 2,
10 would be a 20.6 million-dollar contribution in July of
11 '17, and I believe we go to \$24 million in 2018, we go to
12 20 -- bear with me for a second. I do have this. We go
13 to 26 million in 2019, 31 million in 2020, 36 million in
14 2021, and then in 2022 37.8 million, and we push the
15 numbers that way.

16 Now, in order to get to that table what we had
17 to do was smooth, based upon a recommendation on how the
18 assets were to be smoothed by MERS and the MERS
19 actuaries. We would move assets, as recommended, to the,
20 between the retiree groups, and then in turn we could
21 achieve these contribution rates.

22 Based upon an approval by the City Council,
23 which occurred in March of '13, that would be Step 1 to
24 do that. And now today in front of the RTAB would be to
25 smooth the assets as recommended by the MERS actuary,

1 they would then smooth those assets, and then the revised
2 actuarial contribution report would come from MERS, and
3 then we would start on July 1st of 2017 with a 20.6
4 million-dollar contribution.

5 Also note I have, we have also met with the
6 Unions. Okay. We spent considerable time over two days
7 with the Unions, two Unions over two different days with
8 the Unions, so they have also been involved. And we've
9 received suggestions from them, and we've incorporated
10 those suggestions or have tried to incorporate those
11 suggestions into future pension issues. That has
12 happened.

13 And with that -- that will be the conclusion of
14 what we tried to achieve here. Oh. I know what I wanted
15 to say. Also, please note that for '16 and '17 the
16 contribution was \$16.8 million or 17 million. So, we're
17 taking the contribution up from 16.8 to 20.6 million.
18 That is in the proposed budget for this fiscal year for
19 '17-18. And also the 22.8 million-dollar transfer is
20 also, or contribution I should say, is also in the
21 2018-19 budget. We have also fit in the 26, 31 and 36
22 million-dollar contributions into our three-year
23 projections going forward.

24 So, at the end of the day those are all in
25 there, and we now know where we have to go, what we have

1 to do, and what we have to achieve in order to come up
2 with balanced budgets in that next four-year period. I
3 can state that the '17-18 and the '18-19 budgets with
4 contributions are balanced.

5 So, what is happening here is that we can
6 afford to make those payments, we're going to make those
7 payments, and I have every confidence in the world that
8 those contributions will be made over the next two years.

9 Now, as we go into years three, four, and five
10 the numbers get larger. A lot can happen between now and
11 the third year. The general fund stays balanced through
12 the five-year period; however, the fund balance goes down
13 dramatically. And the funds that we had already
14 anticipated to be in a negative position in years three,
15 four and five obviously continue to drive down based upon
16 this, but as we progress closer to those fiscal years
17 those issues should be solved with improved cash flow and
18 the elimination of expenditures as we move forward with
19 the future budgets.

20 And with that, that would conclude the
21 presentation on how this pension will work.

22 CHAIRPERSON HEADEN: Mr. Finney, did you have
23 any questions on this point?

24 MR. FINNEY: Yeah. I appreciate the details.
25 As you mentioned, those out years as the numbers, the

1 contribution amount starts to grow fairly rapidly, it
2 wasn't clear to me if you indicated the level of comfort
3 that the administration has with those years. I think
4 you indicated that you were very comfortable with the
5 next two. I'm assuming that represents the thinking of
6 the balance of the administration as well. But what is
7 their comfort with the years beyond that? And what
8 happens in the City that provides a level of comfort or
9 discomfort, for that matter?

10 MR. SABUDA: So, in years three, four and five
11 there is work to be done, there's no question about it.
12 So, with that we have to look at staffing, we have to
13 look at revenues, we have to look at overall budgets
14 across the board. Also, the use of fund balance is the
15 key. What I like about years three, four and five is the
16 general fund will be able to pay for this, okay, their
17 share, their fair share of this. And that's the major
18 hurdle here. That's what I like about years three, four
19 and five.

20 Now, fund balance does drop dramatically, but
21 the general fund can make that payment in years three,
22 four, five. When it comes to the special revenue funds
23 and it comes to the enterprise funds the big key is
24 water. That's the one fund -- I should say this in years
25 three, four and five the water fund is the key fund that

1 we are really looking at going, okay, can the water fund
2 do anything in years three, four and five. Well, if the
3 collections are here the answer would be yes, the water
4 fund can do that.

5 So, if we work hard today, tomorrow when those
6 collections come in we shouldn't have a problem. But
7 that's where I get a little uncomfortable is in the water
8 fund we have to achieve collections of 80 percent or
9 better in the water fund in order to meet that criteria.

10 Now, what I do like now -- with that being
11 said, what I do like is we are working on collections, we
12 are working on the water fund, and we are working with
13 our expense structure in the water fund. So, I feel good
14 about that, and that should in the future take care of
15 years three, four and five.

16 MR. FINNEY: I have no further questions on
17 that point.

18 CHAIRPERSON HEADEN: I will move the approval
19 of the resolutions from the March 13th City Council
20 meeting. Is there support, Mr. Finney?

21 MR. FINNEY: Yes, support. I have one more
22 question, though.

23 CHAIRPERSON HEADEN: Yes.

24 MR. FINNEY: Item 150, and that's the
25 settlement, that one was included. Correct?

1 MR. CLINE: 150? Yes.

2 MR. FINNEY: We received a memo outlining that
3 item.

4 CHAIRPERSON HEADEN: Yes.

5 MR. FINNEY: And it was not clear to me. Could
6 someone try to provide me kind of an explanation or
7 should we just expect the memo to serve as the
8 explanation for that item?

9 CHAIRPERSON HEADEN: On that particular item we
10 did ask the law department if it could elaborate upon the
11 resolution to the extent that was permitted without
12 divulging any privileged information, and that was
13 resolved, that resulted in a memo.

14 We do have the City's chief legal officer here.
15 She's willing to answer any questions that you might
16 have, again, I'm assuming if the questions don't delve
17 into matters of privilege.

18 MR. FINNEY: Yeah. No. I'm actually asking
19 about the memo. I was just curious if that was intended
20 to address any concerns or if there was going to be any
21 kind of short briefing provided. But if there was not an
22 attempt to give a briefing I'm fine with the memo as
23 presented.

24 CHAIRPERSON HEADEN: Okay. Thank you.

25 The question is on the adoption of the motion.

1 Those in favor please say aye.

2 MR. FINNEY: Aye.

3 CHAIRPERSON HEADEN: Aye. Motion is adopted.

4 The next item are resolutions from the special
5 City Council meeting from March 23rd. It's my
6 recollection that all resolutions adopted by the City
7 Council at that special meeting have been disposed of by
8 the RTAB in our meeting on March 27th or on March 29th.
9 Is that correct, Mr. Cline?

10 MR. CLINE: Yes.

11 CHAIRPERSON HEADEN: That brings us then to the
12 resolutions of the regular City Council meeting of
13 March 27th, Resolutions 99.1, 99.4, 116, 120.1 and 151.
14 Mr. Cline?

15 MR. CLINE: Yes. Resolution 99.4 was a public
16 hearing regarding the granting of a commercial
17 rehabilitation exemption certificate. Resolution 99.1
18 actually approved that certificate. So, those are two
19 actions related to the same item.

20 Resolution 116 is a budget amendment for use of
21 \$200,000 in grant funds to be used in the payment of the
22 chief recovery officer. Resolution 120.1 is an agreement
23 with the Crim Fitness Foundation to apply for a Safe
24 Routes to School grant to which the City has pledged not
25 only support but to maintain the infrastructure that is

1 awarded through and constructed through that grant.

2 And Resolution 151 is the City's acceptance of
3 an Up Armored Humvee from the U.S. 1033 program. This is
4 a 60,000-dollar asset.

5 CHAIRPERSON HEADEN: Is there a motion that the
6 resolutions just summarized from March 27 be approved?

7 MR. FINNEY: I'm sorry. So moved.

8 CHAIRPERSON HEADEN: Supported. Any questions?

9 MR. FINNEY: Just one little typo in resolution
10 116. There's the chief recovery officer I think is that
11 a typo, there's no Y.

12 I just had a question about the Humvee. Is
13 that a Humvee or is that one of the smaller versions they
14 had? I'm just curious.

15 CHAIRPERSON HEADEN: Gentlemen? Who wants to
16 answer that. Mr. Sabuda?

17 MR. SABUDA: It's my understanding this is the
18 larger one.

19 MR. FINNEY: Okay. I see it's going to be used
20 by the SWAT team. Is there any investor that needs to
21 answer as expected for to assign it?

22 MR. SABUDA: Great question. My understanding
23 is the answer is no.

24 MR. FINNEY: Okay. Thank you.

25 CHAIRPERSON HEADEN: The question is on the

1 adoption of the motion. Those in favor please say aye.

2 MR. FINNEY: Aye.

3 CHAIRPERSON HEADEN: Aye. Motion is adopted.

4 That brings us to -- before we go on to City
5 Administrator items I want to acknowledge that Council
6 President Nelson is now here. Council President, do you
7 have any comments?

8 COUNCIL PRESIDENT NELSON: No, I'm good. Thank
9 you so much.

10 CHAIRPERSON HEADEN: Thank you. City
11 Administrator items? Mr. Jones, Mr. Sabuda, budget to
12 actual?

13 MR. SABUDA: Good afternoon, Mr. Chair and
14 Board Members. What you have before you this afternoon
15 is the budget to actual expenditure report for the month
16 of February, 2017. And everything is pretty
17 straightforward this month. All items have been
18 submitted. Single audit and regular audit have been
19 submitted to the State and to the Federal Government, and
20 we're all set as far as submitting of annual audit
21 financial statements.

22 When you look at cash balances we are behind in
23 on cash balances through the month of February, with the
24 exception of the grant fund, but that's to be expected.
25 And quite frankly, the negative cash balance is behind

1 for the month. We were collecting some dollars, and we
2 work at this every month to make sure that we bill as
3 quickly as possible for those expenses that are paid
4 upfront.

5 Revenues and expenses for the operating funds
6 are pretty straightforward. Nothing to really, that's
7 really got my attention. General fund and the major
8 local street funds are slightly lagging on the revenue
9 side. However, on the major street fund, with the new
10 State program for the gas taxes is coming into play, so
11 we're expecting more dollars there. We'll see the
12 effects of that in March, April and May. As the State
13 collects we should see larger checks.

14 The water fund is holding its own, and the
15 sewer revenues are down slightly, but at the end of the
16 day we expect that to rebound back. Expenditures are
17 right where you want to see them at this point in time,
18 between 13 and 65 percent. Anything higher than that,
19 65 percent, we would be drumming in a little bit deeper.

20 As I reported last month on the water
21 collection piece, we are holding our own on water
22 collections. On the last few months we have started to
23 turn off water on the residential side and we've seen our
24 residential collections pick up dramatically. I would
25 say for the last month of collection I looked at, which

1 would be March, will be about 68 percent collected; on
2 the commercial side over 100 percent collected for March,
3 which is really, really good.

4 But as you know, credits are ended, have ended
5 as of February 28th. Those will be reflected on the
6 March bill. After that there will be no more credits
7 being applied to individual customer accounts. Those who
8 have credits on their account will keep those credits and
9 then they will burn through them as live progresses.

10 The next part of the report gets to various
11 pension discussions that we had last month. Commissioner
12 Finney had a couple questions. Commissioner Finney, you
13 asked about the investment income assumption. You can
14 see MERS's response there. The investment income, we see
15 the rate of return. Obviously, you discount liabilities
16 and project what plan assets will earn.

17 And then you also had a question about
18 mortality tables. I'll let you read through that. The
19 life expectancy of health retirees at sample age is shown
20 on the table, and the columns proposed in the table were
21 adopted on 12-13 of '15. And you can see the current
22 assumption and the proposed assumption. Hopefully those
23 two responses from MERS answers your questions with
24 regards what you had asked at the last meeting.

25 You had also asked for our collection. I made

1 the statement about having a 90, in the 90s collection
2 rate for water and sewer. And basically I had seen some
3 tables that showed that back at the turn of the century.
4 I could not put my hands on those tables. I'm going to
5 have to develop that for you and we'll take it from
6 there. Hopefully at the next meeting I'll have that for
7 you.

8 Getting into the operating budgets for '17-18
9 and '18-19, those budgets have been delivered to the City
10 Council. Council has received draft resolutions that
11 we're asking them to pass. Council has a summary budget
12 with the two years' budgets plus three years of
13 projections as required by our ordinances.

14 Council also has a detailed budget by line item
15 for the first two years of what we're asking them to
16 approve. And we'll be working through that with Council
17 in May, and when they set the dates. And then in June,
18 June 5th would be the anticipated public hearing date and
19 approval of the budget in accordance with the Headlee tax
20 process.

21 Now, Council has also, I've also had discussion
22 with the chair of the finance committee from Council.
23 Council may or may not have their public hearing for the
24 budget on the 5th. They're still making that
25 determination. But at the end of the day the chair said

1 he will follow the Headlee tax process in getting your
2 budgets approved.

3 With that, you have the actual budget to actual
4 by fund there, and I'll be happy to answer -- you also
5 have cash balances, and I'll be happy to answer any
6 questions that you may have.

7 CHAIRPERSON HEADEN: With regards to the
8 pension information, do we know what the expected rate of
9 return is --

10 MR. SABUDA: Yes.

11 CHAIRPERSON HEADEN: -- on investment?

12 MR. SABUDA: Yes. 7.75 is the rate that MERS
13 uses. And I can tell you that MERS has quoted to us that
14 in the '16-17 fiscal year it was 11 percent actual
15 earned. So, 7.75 is their target. And the last
16 evaluation would have been a 11 percent return. Strike
17 that. It wasn't fiscal year. It was as of December of
18 2015 was the 11 percent, their actual report.

19 MR. FINNEY: And that 7.75 would be an average
20 market. Correct. It's not a conservative market.
21 Correct?

22 MR. SABUDA: That's right. It used to be at 8
23 and they've dropped it to 7.75. That's what they can
24 achieve on an annual basis based on what their staff is
25 telling them and their past investment performance.

1 MR. FINNEY: Okay.

2 CHAIRPERSON HEADEN: And the mortality tables,
3 the current assumptions versus proposed, the latter is,
4 it appears to be higher in each case. So, other things
5 being equal, that would cause cost to go up, would it
6 not, because people are going to live longer?

7 MR. SABUDA: That is correct.

8 CHAIRPERSON HEADEN: So, how does that factor
9 into what we already talked about in regards to the
10 resolution that was approved earlier, 136.1, where the DB
11 contribution amount was actually reduced or will be
12 reduced from 42 million down to 20.6 million? Those
13 appear to be going in opposite directions.

14 MR. SABUDA: Correct.

15 CHAIRPERSON HEADEN: So, can you --

16 MR. SABUDA: Sure. So, where we are is this.
17 People are living longer. That drove up to the 42
18 million-dollar contribution. That definitely played
19 into -- the assumption changes going from 8 percent to 7
20 and-a-half to 7.75, the assumption changes on the actuary
21 tables. And then they also had two other changes; one
22 was the smoothing of assets, instead of ten years over
23 five years. And off the top of my head I can't remember
24 the fourth one. But at the end of the day those four
25 assumptions definitely drove our contribution number up,

1 and everybody else. This is not just a Flint phenomena.
2 Every one of MERS's clients, this happened to them
3 because the assumption changes basically did not favor
4 the pension plans or the employers who have pension
5 plans.

6 So, with that we had to smooth that out over
7 the five-year period with this smoothing of the assets.
8 Okay? Flint's got a bigger issue here. The issue is
9 that we had \$50 million going out the door with
10 approximately, underneath the current, with about
11 30 million coming in. So, there's a 20 million-dollar
12 gap. Now, we are slowly biting, or over the next five
13 years we are biting at that gap.

14 So, the bigger issue for us is, again,
15 50 million going out, 30 million coming into the plan.
16 We've got to close that 20 million-dollar gap. You also
17 have employee contributions coming in. That helps us.
18 You also have investment returns, that comes in, so the
19 higher the investment return the better off we are, and
20 all that comes together to try to close that spending gap
21 of 20 million. And that's what we're really trying to
22 achieve here.

23 And in the fourth year and in the fifth year we
24 really need to be at a 30 million-dollar contribution or
25 better in that third, fourth, fifth year right in that

1 zone. And in addition to that we have employee
2 contributions coming in, you have investment returns
3 coming in, and of course, you're going to have
4 expirations along with additions, and all that comes
5 together and hopefully we're in a position where you've
6 got enough dollars coming in to cover the dollars going
7 out.

8 CHAIRPERSON HEADEN: And I assume the revenue
9 gap or the dollar gap you're talking about is a
10 reflection of the fact the City has three, four retirees
11 per current employee.

12 MR. SABUDA: That is correct. There are 1800
13 retirees to 380 active DB participants. Yes. That is
14 correct. A good question.

15 CHAIRPERSON HEADEN: Two other questions on the
16 budget to actual. And I may have missed this, but it
17 indicated here that the single audit which was completed
18 on February 23rd will be submitted to the Federal
19 Government by the end of February. Has that, in fact
20 happened?

21 MR. SABUDA: That has happened, yes, sir.

22 CHAIRPERSON HEADEN: And the other item, and
23 you touched on this, but if you could elaborate, the
24 grant funds are running a negative cash balance. So, is
25 the City, in effect, is it a timing issue?

1 MR. SABUDA: Yes.

2 CHAIRPERSON HEADEN: The City is spending money
3 in anticipation of not having received the grant yet?

4 MR. SABUDA: No. We've received the grant.
5 We've spent the money in order to pay for services from
6 the grant, so we had to put the money upfront and then
7 bill the grant for reimbursement.

8 CHAIRPERSON HEADEN: I see.

9 MR. SABUDA: And that's the timing we're
10 looking at here. So, you have State grants, you have
11 Federal grants, you have private grants, and they
12 basically ask us to pay upfront, prove we pay, and that's
13 where we are.

14 CHAIRPERSON HEADEN: I see.

15 MR. SABUDA: Good question.

16 CHAIRPERSON HEADEN: Mr. Finney, any questions?

17 MR. FINNEY: Yes. A couple questions. On the
18 major street fund and the local straight fund, are either
19 one of those been affected by the new revenue that will
20 be going to the State as a result of the most recent
21 changes to the gasoline tax and the other vehicle seize
22 and things like that, is any of that from the numbers we
23 see or is it too early?

24 MR. SABUDA: It is budgeted to be there, and
25 that's why I'm saying that revenues are lagging a bit

1 because the budget does anticipate that. But remember,
2 that starts in January of '17. So, I'm looking at
3 February '17. It's going to take a little bit of time to
4 get there. So, I'm thinking March, April, May we should
5 see the full effect of the program in the major and local
6 street programs as we go forward.

7 MR. FINNEY: Do you have any sense of how much
8 that will be favorable?

9 MR. SABUDA: Oh, at this point, no, I would not
10 have the numbers at my fingertips. I have to get that
11 for you.

12 MR. FINNEY: And then the last question, with
13 respect to the water fund and the collection activity
14 that's going on, it certainly sounds like a lot of
15 improvement has been made. That's great. Have there
16 been any shut-offs at all?

17 MR. SABUDA: Yes. So, we've done this in
18 phases. We started with the commercial piece first.
19 What we do is we reach out to the owners on the
20 commercial side. We then, if we get no justice as far as
21 payment goes -- and remember now what we're asking for is
22 current balance, current due plus 10 percent of your
23 outstanding balance. That's what we're asking for. And
24 if you do that we consider you paid in full and we will
25 not charge any interest or penalty on your outstanding

1 balance. So -- and that goes for both commercial and
2 residential customers.

3 So, on the commercial side what we do is we
4 reach out to them via telephone, letter or usually it's
5 an e-mail, e-mail or telephone call. If we don't get a
6 response back we go out and we post the business or the
7 commercial structure. And usually we get a lot of
8 reaction from that because we're actually hanging on
9 every door the notice that the water is going to be
10 turned off. That basically gets a lot of people's
11 attention.

12 Even with that process what ends up happening
13 is I want to say two that we have shut off. So, I want
14 to say there's a Lakeside Apartments we have definitely
15 shut off, and I believe there's one other that we had to
16 shut off.

17 But I have to tell you this, and this is what's
18 so disappointing about the whole process is we have to go
19 through this every month. The businesses still are
20 requiring us to go through this. They don't believe us
21 that we're going to shut them off. And until we go
22 through this process over the next six, eight, twelve
23 months and continue to do it the businesses, they will
24 not come in on their own until pressed to pay their bill.
25 So, that's the disheartening piece.

1 The best piece about this is so, when we do do
2 this they do pay and we do see our money. And if we go
3 into a shut-off mode in order to turn it back on they
4 have to pay a fee to turn back on and we're asking for
5 50 percent of their delinquent balance due. So, they
6 definitely don't want to go into that shut-off mode
7 because now we're asking for a lot more money.

8 Now, on the residential side we follow the same
9 process. We try to reach out and try to get to the point
10 where they know we're coming. However, with residents
11 it's much harder, so what we do is we look at where we're
12 going, what we're doing without getting into a lot of
13 detail here. We post the residence. We give them time
14 to come in and try to square up their accounts. And we
15 have gone through the shut-off notice. We have gone
16 through the shut-offs. That happened in March. As the
17 weather got warmer we started to shut off.

18 What we discovered is a third of the homes that
19 were shutting off are vacant, and that's rough. So, we
20 have to tackle this vacant parcel issue in a much bigger
21 and much global scale. So, now we have to go and we have
22 to search.

23 What we'll do is if we don't get paid, whether
24 it's a commercial customer or it's a residential
25 customer, we will place water, that balance that is

1 eligible underneath the law, we will put that on the tax
2 bill. We usually do that in May based upon whatever the
3 ordinance requires us to do. And I can tell you, and
4 I'll forewarn you, the County Treasurer has given us a
5 hard time about this. We basically said that we're going
6 to deliver a delinquent water to the tax roll July of
7 '17, and we're expecting that if it isn't paid by the
8 customer or by the property owner in the '17 tax year
9 that we're going to see that paid to us in the delinquent
10 roll in March of '18, and we're expecting the County
11 Treasurer to collect on that delinquent roll.

12 So, all that is happening right now. We've had
13 numerous discussions with the County Treasurer. I think
14 she's coming around and seeing our position, but I think
15 it's going to take a meeting or two more to scoop out the
16 process. But that's how we're tackling the delinquent
17 water issue now.

18 Our goal is to get to a 80 percent collection
19 rate on a monthly basis. We are getting there. And I
20 want to say overall net we had an estimated for '16-17,
21 I'm sorry, for calendar year '16 we had approximately
22 almost a 50 percent collection rate. And you got to
23 remember with that we went through the time when no one
24 was paying a water bill. Okay? So, as the months have
25 improved and we've got the threat of shut-off out there

1 we're seeing collection rates on a monthly basis now of
2 68, 70, 112, 115 percent both on the residential and
3 commercial side depending on what you're looking at here.
4 And that's because of the threat of the shut-off, and we
5 need to continue to do that.

6 CHAIRPERSON HEADEN: You mentioned just '17
7 collections that are not being paid with the threat of
8 delinquent March 1 of '18, I think under the General
9 Property Tax Act. Was that done -- just out of
10 curiosity, in fiscal '16 or calendar year '16 was
11 anything returned delinquent March 1 of '17?

12 MR. SABUDA: A good question. No. What ended
13 up happening is this. My understanding is that the City
14 went to put those tax, those delinquent charges on the
15 taxes. The Treasurer, the County Treasurer wrote a
16 letter saying we're not going to collect on that, don't
17 even think about putting that on there. The City, to
18 make a long story short, brought those balances back
19 to -- and we held them on account. Then what wound up
20 happening is we went through the credit process, and the
21 credit process came in and, the way I look at it, that
22 was taken care of through the credit process.

23 CHAIRPERSON HEADEN: Okay. Mr. Finney, did you
24 have any other questions regarding the budget to actual
25 report?

1 MR. FINNEY: No. I'm all set. Thanks.

2 MR. SABUDA: Thank you.

3 CHAIRPERSON HEADEN: Two other questions
4 they're not related specifically to the budget to actual
5 report, but I'll pose them at this point. One is there
6 had previously been raised I think during public comment
7 perhaps late last fall regarding the trash hauling
8 contract issues. There was a point in time, as I recall,
9 where the City had two contractors simultaneously
10 collecting, and I think to paraphrase some of the
11 comments made during public comment the concern was that
12 the City not pay in effect 100 percent of the cost to
13 both firms for what one firm typically would have done.
14 And I believe that your department probably looked at
15 receiving information from the firms as to what was
16 actually picked up during a given period of time. Can
17 you indicate how that issue was resolved?

18 MR. SABUDA: We'll work our way backwards on
19 that issue. So, as of today only one vendor has been
20 paid for services rendered off of that timeframe, and
21 that would be the Republic Company. The Republic Waste
22 Company has been paid for services rendered during that
23 timeframe where there were two vendors. The other
24 company, Rizzo/GFL I believe they are now, has not been
25 paid. They have submitted invoices. Okay? Work has

1 been done by both vendors during a short timeframe.

2 With that we have put in writing to both
3 Republic and to GFL, Rizzo/GFL, a request for dump
4 tickets that shows what they dumped for those days where
5 they were both working. Neither company has complied as
6 of today with that request. Those letters went out in
7 early March or approximately March 9th, right around in
8 there.

9 I had a meeting today with the GFL folks
10 regarding the dump ticket issue, and they asked me where
11 we're going with that situation. I stated that we were
12 looking for support for the invoices, and I had
13 acknowledged that there were two vendors working at that
14 same time and we were trying to look at what a fair cost
15 would be to pay both Republic and Rizzo for the work done
16 for those days that they were both on hand, but that we
17 needed the dump tickets in order to come up with an
18 estimated value as to what would be fair to pay.

19 Now, that does not mean that's what we would
20 pay or what would happen. This would be a calculation
21 that I would use to give to people above my pay grade,
22 and then they can make a decision as to where we go and
23 what we do with the work done and how to go forward and
24 pay both vendors if it was deemed that we would pay both
25 vendors.

1 But right now both companies have not sent me
2 the dump tickets as requested. And, quite frankly, it's
3 kind of, it's unfortunate because they've submitted a
4 bill, they've represented that this is what they've done.
5 We've asked for support to that bill and they have not
6 come forward. And that's both vendors and that's not a
7 good thing. They need to come forward and give us that
8 information in my professional opinion. But I'll leave
9 it there, at that point right there.

10 Thank you, Mr. Chair.

11 CHAIRPERSON HEADEN: Thank you. And then the
12 final question I have --

13 MR. FINNEY: I have a question.

14 CHAIRPERSON HEADEN: Yes. Mr. Finney?

15 MR. FINNEY: Yes. I'm curious what potential
16 exposure that the City would have in dollars if for some
17 reason this is not resolved amicably.

18 MR. SABUDA: If I may, Mr. Chair.

19 CHAIRPERSON HEADEN: Yes.

20 MR. SABUDA: Right now the Rizzo invoices are
21 between, and I don't have that at my fingertips, between
22 160 and 200 thousand dollars they billed us for. So,
23 that's what's out there. And that's an estimate.
24 Without having the invoices in front of me, you're in
25 that range. And if they go to court to get that money

1 not only are you looking at paying that bill
2 theoretically, but also legal's time in order to defend
3 us in that situation.

4 MR. FINNEY: Thank you.

5 CHAIRPERSON HEADEN: Mr. Finney, anything else
6 on that point?

7 MR. FINNEY: No. I'm all set. Thank you.

8 CHAIRPERSON HEADEN: And then the final
9 question, Mr. Sabuda, either for you or City
10 Administrator, Chief of Staff, can someone give us a
11 staff report regarding the lead pipeline placement, sort
12 of where you are on that?

13 And essentially I have two questions. One is,
14 as you know, under the now adopted settlement the targets
15 are 6,000 replacements this calendar year, calendar year
16 2018, calendar year 2019. I'd like to know if we're on
17 schedule to meet that target in 2017.

18 The other piece of that, as you know, that we
19 had a two special meetings last month at which we
20 approved both the settlement and I believe seven or so
21 resolutions on the 29th dealing with either service line
22 replacement or the restoration work once the service
23 lines are done. And it was indicated to us at the time
24 that there was a need for a special meeting because given
25 the weather and so forth that we needed to expedite this

1 and make sure this got started quickly. And so, now
2 we're into April 12th, and I'd just like to know has the
3 process actually started and how much work has actually
4 been completed?

5 MR. SABUDA: Please feel free to chip in on
6 this one.

7 MR. DOYLE: Mr. Sabuda, I'm here, too, if you
8 need any assistance.

9 MR. SABUDA: Thank you, Ryan. Come on up here.
10 All right. So, what we have here is the bids,
11 vendors have been selected. Today we went through the --
12 Ryan, why don't you respond?

13 CHAIRPERSON HEADEN: You are, please?

14 MR. DOYLE: I am Ryan Doyle. I am assisting
15 General McDaniel with the FAST Start Program. So, we had
16 our reconstruction meeting this morning right before this
17 meeting for the line replacements and then also covered
18 the restoration work. So, we were hoping ideally that we
19 could start probably almost a month ago, but we're moving
20 toward getting going here within the next couple weeks.

21 Originally we were looking at, weather
22 permitting, being wrapping up the 6,000 lines around
23 mid-October, so this probably pushes us to probably later
24 in November, which is fine. We had that buffer kind of
25 set in there, assuming that the contractors meet the rate

1 of replacement that's set in the contract. And there's
2 liquidated damages to encourage them to meet those rates.
3 I think we're still in decent shape. We have a couple of
4 issues financially in the inspection that we're trying to
5 iron out here in the next week or two to get this thing
6 rolling.

7 Other than that, the AARP has been out
8 collecting consents from the homeowners for us already,
9 so we have made some progress on that. And they are
10 expecting to hopefully, by May 1st they are hoping to
11 have at least half of the houses already, and they are
12 hoping they have all 6,000 houses by the end of May.
13 They will collect what they can and then the
14 contractors --

15 CHAIRPERSON HEADEN: When you say by the end of
16 May you mean to get permissions from the 6,000?

17 MR. DOYLE: Stop and talk to all the
18 homeowners, let them know what's going on, ask them to
19 sign the consent form to do the portion that's on the
20 private side. And whatever they don't get then the
21 contractors have to follow up and work on getting
22 permission from the homeowners on this. We had pretty
23 good success. This last phase they were able to get
24 about half of them in that one sweep through all the
25 property owners.

1 CHAIRPERSON HEADEN: And from a planning
2 standpoint you mentioned that it should have gotten
3 started about a month ago, but let's say given the
4 weather hypothetically you can do this until
5 November 15th, I'm just using it as an illustration, do
6 you have some idea from a calendar standpoint that if
7 that's your end date to be completed by 2017 what is it
8 you have to do each month between now and November 15th
9 to actually complete 6,000 replacements?

10 MR. ~~FERGUSON~~^{Doyle}: It averages about 45
11 replacements a day. So, that will get the replacements
12 done, but you got the restoration part of it, too. That
13 may end up dragging into next years and finish the
14 restoration, but at least hopefully the line
15 replacements, themselves, will be complete.

16 CHAIRPERSON HEADEN: And is there -- if you're
17 talking 45 a day is there a plan in place that if
18 somebody monitoring on this a regular basis and you
19 decide you're 20 replacements behind schedule as to how
20 you make adjustments going forward?

21 MR. FERGUSON: Yeah. I pointed that out to the
22 contractors today. We're averaging 4.5 a day. So, if
23 you start to notice that you're not making that we're
24 going to sit down and make sure you have a plan in place
25 to catch back up to get back on course. So, that's kind

1 of our plan of action.

2 Like I said, there's liquidated damages. We
3 can do work in those zones and there's language and
4 provisions in the contract to allow us to add houses to
5 other contractors around their zone if they're willing,
6 so we have some legal room there to sort out problems.

7 CHAIRPERSON HEADEN: Mr. Finney, any questions?
8 Mr. Finney? Hopefully he has us on mute.

9 Thank you, gentlemen.

10 The next item of business is public comment.
11 Mr. Cline?

12 MR. CLINE: One signed up for public comment,
13 R.L. Mitchell.

14 MR. MITCHELL: Good evening RTAB. Mr. R.L.
15 Mitchell.

16 CHAIRPERSON HEADEN: Mr. Mitchell.

17 MR. MITCHELL: We the people appreciate what
18 these boys is doing for the City of Flint when they are
19 pressing them. The garbage peoples to come up with the
20 other half, we the people wish that they did that to
21 General Motors when they left Flint. But all the rest of
22 the stuff, we the people, we appreciate what you doing,
23 and financial management is doing for the City of Flint.

24 CHAIRPERSON HEADEN: Thank you. Mr. Cline,
25 anyone else?

1 MR. CLINE: That's all.

2 CHAIRPERSON HEADEN: Mr. Finney, are you still
3 there?

4 MR. FINNEY: Yes, I'm still here.

5 CHAIRPERSON HEADEN: I believe there's no more
6 business for the Board this afternoon, so if there's that
7 motion we adjourn. Mr. Finney?

8 MR. FINNEY: Motion to adjourn.

9 CHAIRPERSON HEADEN: Without objection we stand
10 adjourned. Thank you.

11 (Meeting adjourned at 2:57 PM.)

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CERTIFICATE OF REPORTER

STATE OF MICHIGAN)
 SS)
COUNTY OF GENESEE)

I hereby certify that on the date and at the place hereinbefore set forth, I reported stenographically the proceedings held in the matter hereinbefore set forth, and that the foregoing is a full, true and accurate transcript of my original stenotype notes.

Dated: April 14, 2017

Claudia M. Weekly, CSR-2963

Notary Public:
Genesee County, Michigan
My Commission Expires:
March 6, 2019

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