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CITY OF FLINT

2

RECEIVERSHIP TRANSITION ADVISORY BOARD SPECIAL MEETING

3

MAY 26, 2016

4

2:00 p.m.

5

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Meeting before the RTAB Board at

7

1101 S. Saginaw, Flint, Michigan, on Thursday, May 26, 2016.

8

9 BOARD MEMBERS PRESENT:

10

Frederick Headen - The Chairperson

Michael Townsend

11

Michael Finney

Joel Ferguson

12

13 FROM THE CITY:

14 Sylvester Jones, Jr.

Kendall Williams

15 Kerry Nelson, Council President

Stacy Oakes, City Attorney

16

17 OTHERS PRESENT:

18 Patrick Dostine from Michigan Dept. of Treasury

Eric Mays, Councilman

19

A.C. Dumas

Pastor Allen Gilbert

20

Arthur Woodson

R.L. Mitchell

21

Claire McClinton

Dorothy Bachelder

22

23 REPORTED BY: Mona Storm, CSR# 4460

24

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	MOTION INDEX	
	MOTION	PAGE
1		
2		
3	I. Call to order	3
4	A. Roll Call	3
5	B. Approval of Agenda	3
6	II. UNFINISHED BUSINESS	
7	NONE	3
8	III. NEW BUSINESS:	3
9	A. Mayor and Council President	3
10	B. Consideration of Resolution 2016-4	
11	(Transition of authority)	35
12	IV. Public Comment	45
13	V. Adjournment	56
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1 Flint, Michigan

2 Thursday, May 26, 2016

3 2:04 p.m.

4 THE CHAIRPERSON: The meeting will be in  
5 order, please. Let the record reflect that all four  
6 members of the RTAB are present.

7 Next item of business is the approval of the  
8 agenda. Are there any additions to the agenda?

9 If not, is there a motion that the agenda be  
10 approved?

11 MR. FERGUSON: So move.

12 MR. FINNEY: Support.

13 THE CHAIRPERSON: Support? Without  
14 objection, the agenda is approved.

15 This is a special meeting so there is no  
16 unfinished business pending.

17 New business, Mayor and Council.

18 Mr. Jones, do you have any items to report on  
19 behalf of the Mayor?

20 MR. JONES: Sure.

21 Good afternoon. I do have a couple items to  
22 share. But before I get into the items that I have, I  
23 would like to introduce Attorney Kendall Williams who  
24 will come before you and present on a matter that I  
25 believe is relevant.

1 MR. WILLIAMS: Good afternoon.

2 THE CHAIRPERSON: Good afternoon. Just so  
3 we're clear, I understand this is an informational  
4 item, at this time, only.

5 MR. JONES: Correct.

6 MR. WILLIAMS: That is correct. And, for the  
7 record, my name is Kendall Williams. I'm a service  
8 legal Counsel for the City of Flint. I'm here today in  
9 that capacity on behalf of Mayor Karen Weaver and  
10 informationally wish to present some information  
11 relative to a pension plan that is in place for several  
12 of the employees, including the Mayor as well as her  
13 appointees.

14 If I may approach?

15 THE CHAIRPERSON: Certainly.

16 MR. WILLIAMS: I have a document to provide.

17 It occurred to me, as I was coming over  
18 today, that Mr. Ferguson would be here and I would not  
19 have my green and white tie on but my maize and blue  
20 tie.

21 So, for that, I do apologize, Mr. Ferguson.

22 But what you have before you is an executive  
23 summary prepared by my office. And it's an issue that  
24 the Mayor, Mayor Weaver, and Chief legal Counsel  
25 requested us to obtain some information on relative to

1 the pension plan that -- the hybrid pension plan, which  
2 currently includes or covers the Mayor as well as her  
3 appointees.

4 And, again, I will -- I'm not going to read  
5 this for you. You can read it for yourselves. I couch  
6 this as a confidential legal memorandum by virtue of my  
7 position as legal Counsel of the City. Again, you  
8 serve kind of a different capacity but that's the way I  
9 treated it for purposes of our discussion.

10 But, under the hybrid plan that was put in  
11 place, pursuant to Order Number 24, issued by a former  
12 emergency manager, Darnell Earley, the hybrid plan  
13 covers employees, non-bargaining employees hired after  
14 July 1 of 2013. And that particular plan, it's called  
15 hybrid because it includes both a defined benefit  
16 component as well as a defined contribution component.

17 The defined benefit component of the plan has  
18 a vesting aspect to it, six years, age 60. And then  
19 the -- the finalized compensation component and the  
20 multiplier. And then the DC multiplied contribution  
21 component of that hybrid plan, which is through MERS --  
22 I'm sure you know about MERS, the Municipal Employees  
23 Retirement System -- allows for a one-time election by  
24 employees to contribute and then that's matched by the  
25 City for those employees.

1           The maximum, however, the City is exposed to,  
2           in terms of the contribution rate, is ten percent. So  
3           if, by virtue of the actuarial calculations, the City's  
4           contribution on the defined benefit side of the plan  
5           was ten percent, they would not match anything on the  
6           employee defined contribution side.

7           In my experience, and I think that's true for  
8           most municipalities, it's unusual to have elected  
9           officials put into a defined benefit plan, even a  
10          hybrid plan. And number one, it limits the ability to  
11          recruit staff as appointees. You don't normally put  
12          those individuals into a defined benefit plan that has  
13          a destined period, as you have here.

14          And, typically, it's more prudent,  
15          financially, and more fiscally sound to offer, for  
16          those employees, a defined contribution plan. And most  
17          of us, in prior business, know that the age of defined  
18          benefit plans has gone by the rye in the private sector  
19          and municipalities have gone that way as well.

20          The hybrid plan is kind of a step two in that  
21          direction but the bottom line is it's the Mayor's  
22          recommendation, for purposes of the recruitment and  
23          fiscal responsibility, that consideration be given to  
24          allowing these individuals, the Mayor's appointees, as  
25          well as the Mayor, as an elected employee, to be able

1 to convert to a defined contribution plan, to be able  
2 to get out of this hybrid defined benefit plan and to  
3 convert to a -- a defining -- or to a defining  
4 contribution plan.

5 The -- and we've talked to MERS about this,  
6 it's a possibility, if it's approved by this body, as  
7 well as the Treasurer. You will see on Page 3 of the  
8 summary -- and this is data -- benchmark data that is  
9 provided by MERS. And they do handle pension benefits  
10 and plans for a number of municipalities around the  
11 State of Michigan.

12 But you will see there in a table on Page 3  
13 what their data of comparable municipalities shows, in  
14 terms of the employer contribution. The mean or  
15 average is 8.167 percent. The median, which is, you  
16 know, literally right in the middle, is 7.5 percent.  
17 And the mode, which is, again, the most frequently  
18 occurring rates, from this data, is 7 percent.

19 And attached to the summary is the data in  
20 the report provided to us by -- by MERS. They've  
21 cooperated with us on this. In addition to a defined  
22 contribution plan for what's called a 401(a) plan,  
23 which is akin to a 401(k) plan that we have in private  
24 business, MERS could also offer a 457 plan, which will  
25 allow employees to contribute additional money to --

1 you know, to their pension funding.

2 The recommendation, up to the bottom line,  
3 you know, from the Mayor is that consideration be made  
4 to allow the conversion by these employees, an election  
5 that they can go to a defined contribution plan that  
6 would have the City of Flint contribute seven percent,  
7 employees would make a one-time election to contribute  
8 from one to five percent into that particular plan.

9 That would, obviously, you know, reduce the  
10 City's exposure, in terms of a contribution amount.  
11 But it's currently at a ten percent down to  
12 seven percent. Vesting in this interest would be after  
13 a year. So the employer's contribution wouldn't vest  
14 until the employee was, again, a nonunion, elected  
15 employee or an appointee would not occur interest until  
16 after they've been employed for at least 12 months.

17 So, again, this is offered informationally.  
18 It includes a recommendation. I have, if you'd like it  
19 now, a draft resolution that includes all of this but I  
20 can also provide that at a later meeting, if that's  
21 your pleasure.

22 THE CHAIRPERSON: I gather the recommendation  
23 on Page 3 about directing the HR Director to create the  
24 DC plan is based upon the idea that, because this is  
25 currently an EM order, that the RTAB would have to



1 recommend to the Treasurer to modify the order.

2 MR. WILLIAMS: That's how we reworded it.

3 THE CHAIRPERSON: And does the information  
4 you provided us provide any sort of fiscal or financial  
5 analysis as to what the impact would be on the City's  
6 finances, were we to make this recommendation?

7 MR. WILLIAMS: No, I haven't done that. I've  
8 just looked at it, you know, from the legal perspective  
9 and provided benchmark data. Simplistically,  
10 obviously, currently, under the hybrid plan, the  
11 exposure is ten percent, on a combined basis. This  
12 would reduce that exposure by three percent for these  
13 particular employees. And they, obviously, can elect  
14 to contribute their own money but that's what this will  
15 provide.

16 THE CHAIRPERSON: And is it your  
17 understanding --

18 Or, Mr. Jones, is it your understanding that,  
19 at some point, some future date, the City will be  
20 providing fiscal impact information regarding this  
21 proposal as well?

22 MR. JONES: Yes.

23 THE CHAIRPERSON: Question?

24 MR. FINNEY: Yeah. Just one other question.

25 Is this something that you intend to present

1 to City Council for their review and consideration as  
2 well?

3 MR. JONES: We do plan to do that. We do  
4 plan to do that.

5 MR. FINNEY: Okay.

6 MR. WILLIAMS: That's all I have.

7 THE CHAIRPERSON: Any other questions for  
8 Mr. Williams?

9 Thank you very much.

10 MR. WILLIAMS: Okay. Thank you.

11 THE CHAIRPERSON: Mr. Jones, any other items?

12 MR. JONES: Do I have other items?

13 THE CHAIRPERSON: Yes.

14 MR. JONES: Yes, I do. Yes. So I want to  
15 thank Mr. -- Attorney Williams for offering to share  
16 information and, certainly, we do plan to present that  
17 information to the Flint City Council at a later time.

18 So other items I would like to discuss is I'm  
19 certain that you all know that the State of Michigan  
20 awarded the City of Flint \$2 million to replace service  
21 lines and that would serve as kind of a first  
22 investment to replace service lines.

23 The City and staff has been tenacious in  
24 working with Finance, Transportation, Water and  
25 Utilities to really understand how this could be done

1 in a way that will prevent as much interruption to the  
2 City of Flint residents as possible.

3 In addition to that, the Mayor, her desire is  
4 to have as many of these service lines replaced as  
5 possible. And so I wanted to report that earlier today  
6 the Mayor did have a press conference announcing that  
7 the RFP for that will be released on tomorrow and the  
8 City is working extremely hard to ensure that as many  
9 of the lead service lines will be replaced as possible.

10 Again, this initial investment is only for \$2  
11 million. And so we want to make sure that not only are  
12 we coordinating the efforts to realize that it's  
13 accountable still but also press -- an early press  
14 conference with Consumers Energy. And the Mayor wants  
15 to ensure that, as the City goes in to replace the  
16 service lines, that Consumers Energy can be present to  
17 also replace their gas lines at the same time.

18 And so, really, we wanted to share the  
19 administration's confirmative approach to the replacing  
20 of service lines and, really, to restore any water  
21 quality as quickly as possible. As a part of that, we  
22 recognize that there is a need to have some changes to  
23 the master fee schedule. And, while we had hoped to  
24 bring that to you today, ask for your consideration  
25 today, it was presented to the Flint City Council on

1 Monday night and it was, in fact, directed to one of  
2 their committees to do that.

3 The Mayor subsequently called a special  
4 meeting yesterday, recognizing that the changes to the  
5 master fee schedule were necessary and was not able to  
6 have a quorum for that meeting.

7 And so the RFP will go forward, there  
8 continues to be challenges in getting some of these  
9 internal things resolved so that we can really maximize  
10 the use of that \$2 million to have as many service  
11 lines replaced as possible. So that's one of the items  
12 that we hoped that you will -- just wanted to bring to  
13 your attention.

14 Also, since your last meeting, it's my  
15 understanding that there was an expectation that the  
16 Council and the administration would have some dialogue  
17 about the items that are before you today for your  
18 consideration. And it's important that you note that  
19 the administration has not had any conversations with  
20 the Council, as relates to those items.

21 On Monday night, Councilperson Eric Mays went  
22 before the Council and raised the question about the  
23 Council having conversation with the administration on  
24 those items. And, at that time, a couple Council  
25 Members left so there was not a quorum in order to

1 discuss those items.

2 After which, on yesterday, I went up to the  
3 Council President's office and asked him and the -- the  
4 Mayor to speak with him and he was not available to  
5 have that conversation. And so, again, I think it's  
6 important that you know that this administration is  
7 certainly committed to working with the City Council to  
8 really advance the work of the City of Flint, however  
9 the administration cannot carry the load in this alone  
10 and so it's important to share that information.

11 And, finally, let me just say that, as we  
12 prepare for the presentation of the budget, it has also  
13 come to our attention that there may have been or may  
14 be violations to the City Charter from several Council  
15 Members, namely the Director and the Finance Chair.

16 The Charter states -- and this is on Page 15,  
17 Item 3-207, Prohibition of Interference in  
18 Administration. It said, "Except for purpose of  
19 inquiries or investigations in accordance with Section  
20 3-206, the City Council and its members shall deal with  
21 City officers and employees who are subject to the  
22 direction and supervision of the Mayor, solely through  
23 the Mayor, and neither the City Council nor its members  
24 shall give orders to any such officer or employee,  
25 either publicly or privately."

1                   There have been statements to say that  
2                   directions will be made by the Finance Chair about how  
3                   City staff will be allocated. And, as I understand it,  
4                   that that is or could be viewed as a violation of the  
5                   Charter. And so certainly the administration plans to  
6                   have a conversation with the Council regarding this  
7                   matter, but is it more that you know beforehand that  
8                   that is something that is happening at this time.

9                   So I just wanted to bring that to your  
10                  attention. And, again, we recognize that your intent  
11                  is to see that the administration and the City Council  
12                  are working together. Our hope is that that will --  
13                  that will begin to happen and that our dialogue will be  
14                  done in a respectful way that allows both bodies, the  
15                  executive and the legislative body, to move the City  
16                  forward and meet the needs of residents.

17                  Thank you.

18                  THE CHAIRPERSON: Thank you.

19                  MR. TOWNSEND: I have a question.

20                  THE CHAIRPERSON: Question?

21                  MR. TOWNSEND: Yes.

22                  Can you explain the process? I know that  
23                  there are -- we've talked several times at this meeting  
24                  about communication between legislative and  
25                  administration at this time. Can you give us an

1 example or explain to us how often you do meet and what  
2 are your plans going forward?

3 MR. JONES: How often we meet?

4 MR. TOWNSEND: Yes.

5 MR. JONES: Oh. Well, there are -- there  
6 are -- there has been scheduled meetings. And, most  
7 recently, those meetings have been canceled. There has  
8 been overtures to hold meetings from the  
9 administration. An overture was made and -- most  
10 recently on a matter relating to the action plan for  
11 CDBG, HOME and ESG.

12 The Council wanted us to send the information  
13 to them right away. The administration, our desire was  
14 to have a face-to-face meeting with them and have a  
15 dialogue of those things and then we can provide them  
16 with those things. Those meetings were canceled and,  
17 subsequently, a number of disrespectful condescending  
18 e-mails went out from Councilperson Fields about what  
19 the administration must do.

20 The Mayor has had scheduled meetings with the  
21 Council President. The last two of those have been  
22 canceled. Again, I went up yesterday and attempted to  
23 have a conversation with Council President and he said  
24 that he was not available for that meeting. And so  
25 there are no formal meetings at this time and I would

1 say requested overtures from the administration to have  
2 meetings have been met with much resistance.

3 MR. TOWNSEND: So, in the last month, how  
4 many times have you actually met?

5 MR. JONES: Well, on -- I can tell you, on  
6 Tuesday, I actually walked up to the Council  
7 President's office --

8 MR. TOWNSEND: I know. I'm talking about  
9 actual meetings.

10 MR. JONES: Actual meetings? In the last  
11 month, actual meetings -- other than committee  
12 meetings?

13 MR. TOWNSEND: Yes.

14 MR. JONES: I'm going to say zero.

15 MR. TOWNSEND: Okay. Thank you.

16 MR. FINNEY: Yeah. I have a separate  
17 question related to the service line replacement.

18 I know that some time ago there was a private  
19 company that had offered to provide service lines that  
20 were made of a PVC or a plastic type of material as an  
21 option to the City, as we are hoping to stretch the  
22 dollars a whole lot further than necessarily using  
23 copper or some other type of material.

24 I'm just curious if, in fact -- or what is  
25 preventing that from moving forward, if anything, and



1 is the City's intent that to take up that offer and is  
2 that offer still on the table, to your knowledge?

3 MR. JONES: Yeah. So we did have a  
4 conversation with individuals at BSI and what they --  
5 what their concern was is that, if those pipes froze,  
6 that there could be main breaks. But we decided to  
7 have some other conversations about that to eliminate  
8 the possibility of that happening. So we will follow  
9 up on it but I just wanted to share what the concern  
10 was from the BSI staff on that.

11 MR. FINNEY: So, if the RFP is moving  
12 forward, does the RFP allow the flexibility of  
13 in-circular incorporating the PVC service lines versus,  
14 say, copper, in the event that, after further  
15 evaluation, it looks reasonable, or because the RFP is  
16 moving forward, would that essentially specify whatever  
17 materials the suppliers immediately included in their  
18 response?

19 MR. JONES: So the RFP will go out for this  
20 round, the \$2 million that they have. There will still  
21 be additional work done on that. There will be a time  
22 period that we will hopefully continue to work with the  
23 City Council and that will allow us to explore some of  
24 these possibilities.

25 In addition to that, we're going to have a

1 meeting on Wednesday with Consumers Energy to discuss,  
2 again, the scheduling and coordination of their -- of  
3 the replacement of the gas line. So we will continue  
4 to flush out additional details while we're waiting for  
5 a proposal to come in.

6 MR. FINNEY: And one last request. And that  
7 would be that, before the -- a final recommendation or  
8 approval, through whatever the process hopefully is,  
9 we'll get a resolution, I guess, that would recommend  
10 moving forward, I would like to make sure that we  
11 include whatever the staff's final review and  
12 recommendations are with respect to the PVC so that it  
13 would be clear that it's an option or that it's not, as  
14 a part of the recommendation that comes forward to move  
15 forward in spending the \$2 million.

16 MR. JONES: Okay. We can do that.

17 MR. FINNEY: Okay. Great.

18 MR. JONES: Absolutely.

19 THE CHAIRPERSON: Other questions?

20 Thank you.

21 MR. JONES: Okay. Thank you.

22 THE CHAIRPERSON: If we can go back, for just  
23 a quick second, to Mr. Williams' presentation about the  
24 pension issue.

25 As you noted, this is marked attorney/client

1 privilege. But, because there's no representation of a  
2 relationship between you and the RTAB, just so that  
3 we're clear, as a public body, if we're asked through a  
4 FOIA, for example, to release a copy of this document,  
5 we would have no reason not to do so.

6 MR. WILLIAMS: I -- again, I made that note.  
7 There isn't a formal relationship. Typically, there's  
8 a default for that. But I believe it would be subject  
9 to distribution and I have no problem.

10 THE CHAIRPERSON: I just wanted to make sure  
11 there is no misunderstanding.

12 MR. WILLIAMS: Okay. Thank you. And I  
13 appreciate that.

14 THE CHAIRPERSON: Thank you.  
15 Council President?

16 MR. NELSON: Good evening. I just wanted to  
17 touch on a couple things that Mr. Jones presented about  
18 Council and Administration meeting. In the month of  
19 April, I did not cancel a meeting; that was on the  
20 Mayor's part.

21 In May, I canceled a meeting and gave her a  
22 day's notice because the oldest deacon in my church  
23 passed away and I was on his program to -- for the  
24 services because I'm a deacon also.

25 Communication on yesterday, after the special

1 meeting -- and we did have a quorum. I asked Mr. Jones  
2 on Tuesday, when he presented the special meeting to  
3 me, if he can change the time from 12:00 noon to 5:30  
4 or 6:00 because most Council People have jobs. And  
5 that was not a thing to work out because it was already  
6 set in stone that a meeting was going to be done at  
7 12:00.

8 Because we did not have a quorum, I guess  
9 Mr. Jones was pretty upset and said some things, as  
10 that I am a liar and other things. And so, when he  
11 came to my office at 4:00, I was preparing myself for a  
12 meeting and so I just could not jump up and be in that  
13 meeting and go to see him and the Mayor, with all due  
14 respect.

15 What I'm saying to this Board today is in  
16 front of you is a master fee schedule. If you present  
17 something to me at a committee meeting at 6:15 and I'm  
18 getting ready to go to Council and there's 18 or 19  
19 pages, there's no way I'd have time to study it, look  
20 at it to see what the details are. So we postponed it  
21 until that particular meeting.

22 Then I noticed something else about this  
23 master fee schedule. The CFO of the City's signature  
24 is not on there and, to my understanding, has not seen  
25 it, has not reviewed it. And, until that happens, I'm

1 not willing to sign anything or even pass anything  
2 until I know the CFO is on board with it. So I thought  
3 I made that quite clear.

4 Now, if she is a CFO, which she says she  
5 still is, it is vital that the CFO looks at this,  
6 reviews it and signs off on it. And, until that  
7 happens, this Council President will not sign any  
8 resolution or, therefore, pass any resolution because  
9 that's their job to make sure that, financially, it's  
10 the best way for us to go.

11 And so, therefore, that was my conclusion and  
12 my decision. And, yes, Mr. Jones did come to my office  
13 and I did back that because that bothered me when he  
14 said that. I cannot just drop what I'm doing at that  
15 point and I'm getting ready for one meeting to say, "Me  
16 and the Mayor wants you downstairs now."

17 As much as I respect her, I cannot do that.  
18 Because, at that time, my meeting has been already  
19 made. So it is not unwillingness but I'm saying be  
20 fair in the process. Even in the master fee schedule,  
21 if you've been working on this for weeks and weeks and  
22 a month, why was not Council brought in?

23 Maybe not to have any work in but just to sit  
24 down and listen to see what was going on. None of that  
25 was done. And so, therefore, to this Council -- to

1           this RTAB, that this Council is willing to work with  
2           Administration but let's be fair across the board;  
3           that's all I'm saying. And this is all that this  
4           Council President has to say unless you have questions.

5                     MR. TOWNSEND: Yes, I have a question.

6                     MR. NELSON: Mr. Townsend?

7                     MR. TOWNSEND: The question for you is  
8           that -- again, I'll pose the same question that I asked  
9           Administration. So, in actuality, how many times have  
10          you actually sat down with Administration in the last  
11          month?

12                    MR. NELSON: I just told you that the meeting  
13          that we had scheduled for me and the Mayor was  
14          canceled.

15                    MR. TOWNSEND: That would be an answer of  
16          zero?

17                    MR. NELSON: That is correct.

18                    MR. TOWNSEND: Okay.

19                    MR. NELSON: Now, me and Mr. Jones have had  
20          conversations but not me and the Mayor.

21                    MR. TOWNSEND: Okay. My next question to  
22          you, though, is the same line of communications. Do  
23          you feel -- I know this is not your first term on the  
24          City Council. And, with your experience, do you feel  
25          as though the communication between Administration and

1 Council, at this time, is sufficient?

2 MR. NELSON: No.

3 MR. TOWNSEND: Okay. Do you feel as though  
4 it is in comparison to other previous years, your prior  
5 years on Council?

6 MR. NELSON: It is unusual. And when I say  
7 "unusual", at this time, it is that, when I do  
8 communicate, things are almost all the way done.  
9 There's no input, it's completed. They're bringing me  
10 something to say, "We just want you to say okay on it",  
11 no involvement, it is, that this Council plays.

12 And I've had support. Like I said, the  
13 master fee schedule, I didn't have to be the one -- or  
14 there didn't have to be any Council meetings, just  
15 carrying on it because it's a major event going on in  
16 our City, just to know. I didn't know, like I said,  
17 until about 6:10 Monday night.

18 MR. TOWNSEND: You're kind of saying that --  
19 I'm glad to hear you said that it's important. So I  
20 guess, as Council President, how -- tell us how that  
21 you -- knowing that it's important to have that  
22 communication, what can we expect, going forward, in  
23 terms of that effort? I mean, you know, what we're  
24 saying is that you're saying it's important. He has  
25 said it's important. This RTAB has said it's important

1 to have communication. But here's another month that  
2 we've gone by that there has been no communication.

3 And I realize and we all realize that this  
4 City is in a very difficult situation, we're in a  
5 difficult situation, regardless of the water situation.  
6 We have financial issues that's still going on and an  
7 essential part of that is communication between the two  
8 legislative and administrative executive forms of  
9 government that are operating here to do different  
10 branches. But yet here another month we've not done  
11 that.

12 Is there something that you can say or are  
13 willing to do to, say, going forward that this will  
14 happen?

15 MR. NELSON: Well, Mr. Townsend, let me pose  
16 it to you this way: This master fee schedule, if it's  
17 such an important deal and they had been working on it  
18 such a long time, I pose the question to you, don't you  
19 think Council should know something about it, should  
20 have got one phone call to say, "We're working on this  
21 just to give you a head's up, you don't necessarily  
22 have to come but this is what we're doing"? Those  
23 types of phone calls don't happen.

24 MR. TOWNSEND: Okay. Well, I understand  
25 that. I understand that they're not happening. I'm --



1 what I'm asking you and I'll ask Mr. Jones the same way  
2 is, going forward, can we have some sort of commitment  
3 that they will happen?

4 Okay. You know, again, you have options, you  
5 have issues that's going on with your -- on the  
6 Council's side of it, there are options going on in  
7 Administrative.

8 We both have said -- you just said that it's  
9 important that you communicate but yet you're not. So  
10 what I'm looking at is a solution to the situation, not  
11 a pointing, "They didn't show up, they didn't show up."  
12 But when are we going to show up to communicate so that  
13 this City can move forward?

14 MR. NELSON: Let me put it to you this way:  
15 I had a meeting with the Chief of Staff, he canceled,  
16 not me. So I'm willing to make meet but it canceled  
17 and I think it canceled because of the special meeting  
18 yesterday. But I'm the one that went to him and said,  
19 "We need to have a conversation." Okay?

20 MR. TOWNSEND: Okay.

21 MR. NELSON: Any other questions?

22 THE CHAIRPERSON: A question?

23 Thank you.

24 MS. OAKES: Good afternoon. As all of you  
25 know, I am the Chief Legal Counsel. I serve at the

1 pleasure of the Mayor. That being the case, I would  
2 like to offer to be the wardage between Council and the  
3 Mayor's administration. At the end of the day, I've  
4 had to give advice to both. At the end of the day,  
5 both may not have wanted to receive that advice but  
6 they respected it because that's what the law required.

7 I'm more than willing to work as the middle  
8 person. I think you're looking for some sort of  
9 solution. I'm not here to suggest that I am a solution  
10 but I do know, after working for and with  
11 Administration and for and with Council, that the  
12 conversations have to occur for us to move forward.

13 THE CHAIRPERSON: We're not here to propose a  
14 solution. I think Mr. Townsend's point, which is a  
15 point we've made before, is that communication between  
16 the two branches is important. It's crucial, given  
17 some of the issues in place in the City. So, if the  
18 two branches are inclined to accept an invitation, and  
19 this is an invitation, I don't imagine that the RTAB  
20 would have an issue with that.

21 We're not trying to resolve the issue,  
22 obviously, at this afternoon's meeting. We simply have  
23 said it before, I'm sure if it doesn't approve, we'll  
24 continue to say it in the future, that it's important  
25 that the two branches communicate with each other.

1           Whatever issues we're facing are going to be made much  
2           worse if the two branches aren't communicating and  
3           cooperating with each other.

4                       We're not here to assess, as Mr. Townsend  
5           said, who came to what meeting or who's most at fault,  
6           we don't really care, frankly. We treat or have tried  
7           to treat everybody from both branches as adults, as  
8           professionals. We expect both branches to do the same  
9           with each other, not for our benefit but for the  
10          benefit of the residents of Flint, frankly.

11                      So, if you want to, in some formal way, send  
12          your invitation to both the Mayor's office and the City  
13          Council to serve as an intermediary or mediator, please  
14          feel free to do so and I'm hoping that will work out.

15                      Do you have any other questions for us,  
16          Mr. Jones?

17                      MR. JONES: I don't have questions. I think  
18          it's important that you know the overtures that this  
19          administration has made to really have a productive  
20          working relationship with this Council. So, on  
21          Friday -- on most Fridays, the Governor holds their  
22          Flint Water Interagency Coordinating Committee. They  
23          presented recommendations at last Friday's meeting and,  
24          while Council President Nelson and Council  
25          Vice President Vicki VanBuren were present, it was a

1 meeting that raised my hand and asked that body to  
2 present their recommendations to the Flint City Council  
3 before those go to the Governor, or before those go to  
4 the -- Rick for final approval. So that was my intent,  
5 to make sure that the Flint City Council was a part of  
6 that process.

7 In addition to that, a couple days ago, we  
8 met with Cornerstone to talk about benefits. During  
9 the course of that meeting, the gentleman from  
10 Cornerstone called about wellness centers. He  
11 presented a proposal to the previous administration  
12 about wellness centers, how this could be used to save  
13 costs for the City of Flint but also ensure that  
14 information got out to current employees as well as  
15 retirees.

16 Following that meeting, I asked the gentleman  
17 to go to Council President's office with me and we sat  
18 down with Council President Nelson to talk about the  
19 possibility of exploring the potential of the two  
20 bodies, the Mayor's office as well as the Council,  
21 creating wellness centers together. That was the  
22 second overture that I've made to Council President  
23 Nelson.

24 In addition to that, every conversation that  
25 I have held with Council President Nelson has been

1 because I went to his office. It's because I went up  
2 to his office. Mr. -- Council President Nelson has  
3 never gone to the Mayor's office nor my office to  
4 initiate conversation.

5 Finally, let me say this: And I mentioned  
6 this just a couple seconds ago. On Monday -- at  
7 Monday's Council meeting, it was Councilperson  
8 Eric Mays who said we have not discussed the items that  
9 the RTAB --

10 THE CHAIRPERSON: I don't mean to interrupt  
11 but I think we're having some ~~dimension diminishing in terms~~ returns here.

12 MR. JONES: Okay.

13 THE CHAIRPERSON: We understand that there  
14 have been --

15 MR. JONES: Okay.

16 THE CHAIRPERSON: -- differences of opinion.

17 MR. MAYS: May I?

18 THE CHAIRPERSON: No -- I'm sorry -- public  
19 comment.

20 MR. MAYS: I'll wait until public comment  
21 because I'm first up so I'll just listen from here.

22 THE CHAIRPERSON: Thank you.

23 MR. MAYS: That's fine because this is being  
24 considered and, if you really got the best interest of  
25 the City of Flint, you might want to listen.

1 THE CHAIRPERSON: We do have an additional  
2 question for Council President Nelson.

3 MR. FINNEY: Mr. Nelson.

4 MR. NELSON: Yes?

5 MR. FINNEY: So we, obviously, have an item  
6 on our agenda that is for consideration that none of  
7 your comments spoke to during your opening remarks and  
8 so I did have one question related to this before we  
9 take action on it.

10 MR. NELSON: Uh-huh.

11 MR. FINNEY: And so, with all the dialogue  
12 that has gone on so far, how does this action that  
13 we're considering, how would this action enhance the  
14 City Council's abilities or your ability to work more  
15 effectively with the City administration and, frankly,  
16 with all our stakeholders, in order to get the City's  
17 business done most effectively and efficiently as  
18 possible?

19 MR. NELSON: Well, I think because the people  
20 elected to do a job and the Charter gives us more realm  
21 to do that more steady. More questions we can ask,  
22 more we can talk to because, as it stands right now, we  
23 can't talk to department heads at all.

24 MR. FINNEY: Hey, hold on. With all due  
25 respect. With all due respect.

1                   Okay. Thank you.

2                   THE CHAIRPERSON: Councilperson, if you would  
3                   take a seat, please. If you would stand off to one  
4                   side so you're not blocking the views of others.  
5                   You're blocking the views of gentlemen behind.  
6                   Council, please take a seat or stand to one side,  
7                   please.

8                   MR. MAYS: I'll just sit.

9                   THE CHAIRPERSON: Thank you.

10                  MR. NELSON: So, in that way, because the  
11                  Council has to answer, under Order Number 3, that the  
12                  City Administrator have really have the powers to do as  
13                  we are. This Council is willing -- and, again, I'm  
14                  going to state, again, willing to work with  
15                  Administration. But here's the problem:

16                  Most of the times -- and Mr. Jones is right,  
17                  he has come to my office. But, when he's come, he's  
18                  come to present a plan that's already done. And so  
19                  what we're asking today -- and excuse me for not  
20                  speaking -- it is something that this Council ascribed  
21                  for since Emergency Manager has been here. We're  
22                  locked in handcuffs to seek information and to get  
23                  information that we need. If we were responsible for  
24                  the checkbook and don't know what's there, then we  
25                  can't to our job.

1                   MR. FINNEY: Okay. So my -- so then, as I'm  
2 listening to you, you're looking for additional  
3 information, be it financial or otherwise, in terms of  
4 the operation of the City that has not been forthcoming  
5 to you as a Council --

6                   MR. NELSON: Right.

7                   MR. FINNEY: -- to make decisions?

8                   MR. NELSON: And here's the thing that, when  
9 the Mayor received her power, and she rightfully should  
10 have it because the people elected her, she failed.  
11 That she couldn't do her job because someone made the  
12 decision of who hired and fired for her.

13                   MR. FINNEY: But you're revisiting the  
14 Emergency Manager situation, how we got to where we  
15 are.

16                   MR. NELSON: Right.

17                   MR. FINNEY: So, just from a process  
18 standpoint, we are where we are, the RTAB exists and  
19 we're in the process of trying to transition the  
20 Charter-granted authorities back to the City Council,  
21 and, just as they have been, to some extent, to the  
22 Mayor.

23                   MR. NELSON: Well, I would hope so.

24                   MR. FINNEY: So I understand all that. But  
25 what I'm trying to understand are the steps that you



1 and the City Council are going to take to help with the  
2 most efficient and effective operations of the City,  
3 assuming that we move forward with this action.

4 Because what we're hearing in the opening  
5 remarks represent just the opposite of what it's going  
6 to take in order to be effective and efficient that  
7 you're not talking. And so how is -- how is that  
8 bridge going to be made what information do you need in  
9 order to be most effective at it?

10 MR. NELSON: With all due respect,  
11 Mr. Finney, there's only so much the Council can do.  
12 If we reach out, if we're there, if we're asked for  
13 information and we can't talk to department heads, if  
14 we can't reach out and then, when you reach out, we  
15 don't get the whole truth, we get what they want to  
16 give us or then, when they -- when they come to us,  
17 it's a -- it's a done deal. Just on given the master  
18 fee schedule, it was a done deal before I even knew  
19 anything about it. And I'm just not saying me, all my  
20 colleagues.

21 MR. MAYS: Don't speak for me.

22 MR. NELSON: But I'm not speaking for you,  
23 Mr. Mays, because I know what you've already said.

24 So here's where I am: I wish today that you  
25 would grant us our powers back and it's up to this

1 Council and this administration to work together; we  
2 know that. But that's a two-way street.

3 MR. FINNEY: So just -- just for  
4 clarification, so I understand, the -- the government's  
5 process here, with respect to the City Council, the  
6 administration and -- when you're presented with  
7 something -- you described this fee schedule as a  
8 done-deal when it was presented to you. It effectively  
9 can't be a done-deal until the City Council reviews it,  
10 offers its input and opinions on it and then takes a  
11 vote --

12 MR. NELSON: Exactly.

13 MR. FINNEY: -- either affirmative or  
14 declining it.

15 MR. NELSON: Exactly.

16 MR. FINNEY: And so, by not reviewing it,  
17 you're not taking that step of reviewing it.  
18 Irrespective of whether it came to you in a  
19 99.9 percent completed form or if it was just  
20 beginning, you still have the purview of reviewing  
21 everything in front of you and in as appropriate a  
22 timeframe as you and the Council feel. But you've got  
23 to take the time to go ahead and review it, as opposed  
24 to making a point that you didn't get to have input  
25 when it started, you're only getting input now to

1 something that's near finished.

2 I'm just trying to understand, if it's clear  
3 that it's not a done-deal until you and the City  
4 Council actually review it in as much detail as you  
5 want --

6 MR. NELSON: And I understand that that's why  
7 we postponed it until the committee meeting. But then  
8 there was a Council meeting on this, the Mayor did two  
9 days later. We postponed it until the committee  
10 meeting of Public Works. We postponed it until that  
11 meeting. That would give Councilpersons time to review  
12 all the documents.

13 MR. FINNEY: Thank you.

14 MR. NELSON: Because it was not one document.

15 MR. FINNEY: Thank you.

16 THE CHAIRPERSON: Next item of business is  
17 consideration of RTAB Resolution 2016-4. Questions or  
18 comments regarding that resolution?

19 And I believe that was posted on the City's  
20 website as well so the residents have had a chance --  
21 Councilmembers and Members of Administration --

22 MR. MAYS: I don't even know what it is.

23 MR. DUMAS: What's on there?

24 MR. MAYS: I don't know even what it look  
25 like, what it is, don't know what this special meeting

1 was about. As a Councilman, I have not seen and I  
2 don't know --

3 MR. DUMAS: Me neither.

4 THE CHAIRPERSON: I believe all of our  
5 documents, in terms of agendas and so forth, are placed  
6 on the website prior to our meeting.

7 MR. MAYS: Did you get a hard copy,  
8 Mr. Headen?

9 THE CHAIRPERSON: I'm sorry?

10 MR. MAYS: Have you got a hard copy? Have  
11 you got staff that supplies you with that? I'm just  
12 saying, it might have been but I have not seen it.

13 THE CHAIRPERSON: I believe it -- I believe  
14 it was.

15 MR. MAYS: Just like the governor's letter  
16 that I didn't get a copy, you gave --

17 THE CHAIRPERSON: Council, you can speak  
18 during public comment.

19 MR. MAYS: And I'll wait --

20 THE CHAIRPERSON: Councilmember, you can  
21 speak during public comment.

22 MR. MAYS: Well, you know, if you want to  
23 know the truth, sometimes it's a courtesy to hear from  
24 all --

25 THE CHAIRPERSON: And you can --

1 MR. MAYS: And that's why --

2 THE CHAIRPERSON: We will extend you that  
3 courtesy during public comment.

4 MR. MAYS: After the fact?

5 THE CHAIRPERSON: No.

6 MR. MAYS: Okay. So the agenda --

7 THE CHAIRPERSON: I have no objection, if it  
8 comes to it, to allowing public comment before we vote.

9 MR. MAYS: That will be fine.

10 MR. DUMAS: That will be nice.

11 THE CHAIRPERSON: First, questions of any of  
12 the RTAB members?

13 MR. TOWNSEND: Yes, Mr. Headen. I guess  
14 my --

15 THE CHAIRPERSON: We'll suspend normal rules  
16 where we'll take a motion and support first.

17 MR. FERGUSON: I make a motion.

18 THE CHAIRPERSON: Certainly.

19 Is there support?

20 MR. FINNEY: Support.

21 THE CHAIRPERSON: A motion is made and  
22 seconded to approve the resolutions. And now we'll  
23 have discussion. Any -- Mr. Townsend?

24 MR. TOWNSEND: The resolution that's on -- on  
25 the table now, if I'm not mistaken, the

1 responsibilities that it does restore to the Council  
2 are responsibilities that currently reside in the City  
3 Administration's position; is that correct?

4 THE CHAIRPERSON: It goes beyond that. And I  
5 should point out, for purpose of clarification, this  
6 resolution was drafted at Treasury so I don't want to  
7 saddle Lead Counsel or anyone else with the offer-ship  
8 of this because I think it largely reflects discussions  
9 that have taken place previously in some of the  
10 documents that Counsel had presented.

11 To your exact question, this resolution does  
12 two things. One is it restores authority of the City  
13 Council provided under the Charters, which it currently  
14 largely does not have as a result of EM Order 3.

15 Secondly, it does make certain adjustments  
16 within that order by removing certain authorities from  
17 the City Administrator position. So there's two  
18 different aspects to this. To some extent, the second  
19 revisions of some of the authority from the City  
20 Administrator are necessary in order to restore  
21 authority under the Charter. So it does two things.

22 MR. TOWNSEND: And, just for clarification  
23 purposes, all the restored responsibilities, if this  
24 resolution is indeed passed, the responsibility that  
25 they have, in terms of resolutions, it will not change

1 the process of those ultimately having to come to RTAB  
2 for final approval.

3 THE CHAIRPERSON: That is correct.

4 PASTOR GILBERT: I know what you told me but  
5 I'm not your child.

6 Did you hear what I said?

7 MR. DUMAS: Unh-unh.

8 PASTOR GILBERT: Well, you will hear it now.  
9 I'm not your child. I'm 60 years old.

10 MR. DUMAS: Okay.

11 PASTOR GILBERT: All right.

12 THE CHAIRPERSON: Gentlemen.

13 PASTOR GILBERT: Thank you, Brother Headen.

14 THE CHAIRPERSON: Meeting will be in order.

15 Mr. Townsend, any other questions?

16 MR. TOWNSEND: Not a question. But I  
17 basically have a statement in reference to this. When  
18 reading this resolution and hearing requests from  
19 City Council and actually seeing the behavior or  
20 process that the Council as well as Administration has  
21 gone through, I was very cautious to approve giving  
22 authority back at this time. I am a resident of the  
23 City -- of this city and we spent many years here  
24 working and, honestly speaking, have no problem saying  
25 at this time publicly that I am seriously afraid of the

1 3P.

2 And, generally, 3P is something that's good  
3 when it comes to sports and activities, a three-time  
4 champion sounds good. But a third time going into  
5 financial emergency under management, the second time  
6 we've all found out has proven already to be debted. I  
7 don't know what a third time would actually lead to.  
8 So I'm very hesitant to do that because I, for years,  
9 avoided City Council meetings for various reasons.  
10 And, when I saw tapes of the current ones, it reminded  
11 me that I did a smart thing in avoiding it before.  
12 Okay?

13 The actions and -- and even before this  
14 board, the different conversations that we've had has  
15 further convinced me that we are not prepared and ready  
16 to run our city. And it saddens me, again, as a  
17 resident because, regardless -- as Mr. Finney was  
18 saying -- of whether we like the law, it is the law and  
19 we broke the law and we're dealing with the  
20 consequences.

21 But, in any situation of a rehab situation,  
22 you must first realize that you have a problem. A man  
23 has to understand that they have an alcoholic problem  
24 before they can recover from it and, from the actions  
25 that I've seen at Council meetings and this meeting



1 from Administration and Council, we don't realize that  
2 we have a problem still. Okay? We'll continue to come  
3 to this Board for conversation about how this one is  
4 not doing that and this one is not doing this.  
5 Honestly speaking, it reminds me of my children when  
6 they were young telling on the other instead of working  
7 together and getting what's done.

8 So I am really hesitant to give any authority  
9 back. And, again, I am a spiritual man and praying  
10 very heavily for this City and the authority figures,  
11 especially the ten elected figures in this City that  
12 they will somehow come together and move this City  
13 forward.

14 It is a shame, the actions that they're doing  
15 at this point in time. And so I just felt as though,  
16 before we voted on this, I needed to let my feelings  
17 known because the actions that I've seen and that have  
18 been proven at this mic in the last four or five months  
19 have really shown that we're not ready to take control  
20 of our City.

21 THE CHAIRPERSON: I would mention,  
22 Mr. Townsend, that it may provide you some comfort to  
23 know that there is a provision in the proposed  
24 resolution that within the next nine days, if  
25 necessary, the RTAB can reverse this particular

1 decision.

2 Mr. Finney?

3 MR. FINNEY: Mr. Chair, I remain very  
4 optimistic about our ability to actually get things  
5 done here in the City of Flint. And I say that based  
6 on the limited number of resolutions and other items  
7 that have come before the RTAB. Every meeting I think  
8 I've been consistent in asking if those items have  
9 support from both the administration and from the City  
10 Council before we take action on them.

11 Because I want to make sure that, as we take  
12 action, that it is as a result of the direction that's  
13 coming from the elected officials here. But I also  
14 understand that, from time to time, we may have to take  
15 positions that will differ from elected officials in  
16 the event of something particularly of a financial  
17 nature does not make sense. And it would be our  
18 responsibility to give you feedback about that.

19 I'd say, for the most part, the kind of  
20 dialogue that's gone on this week and, frankly, even in  
21 prior weeks at other meetings has really not been of a  
22 significant financial nature. And so I find myself not  
23 feeling as if I need to take a position as an RTAB  
24 member that would change the general direction of  
25 anything that's coming from the City Council or from

1 the Mayor's office, from the administration.

2 So I'm generally supportive of this  
3 resolution. I do have concerns about just the lack of  
4 willingness to work together effectively. And I think  
5 it's not something that we see happening over the next  
6 90 days or so. It would certainly warrant rethinking  
7 the position that -- as represented by this resolution.  
8 But, at some point, we've got to take that next step.  
9 And that next step is to try and move this City back to  
10 being run in accordance with the City's Charter.

11 But just, you know, it don't take someone  
12 who's experienced in government or management or  
13 anything else to understand that someone's got to take  
14 that 51st step. Because, if we both take 50 steps, we  
15 get to a point where we never have overlap. And that  
16 next step is the one that's going to allow us to have  
17 overlap and, I think, achieve a whole lot more than  
18 where we are right now.

19 Flint has the eyes of the nation on it, of  
20 the world on it and it's so important that we get this  
21 right going forward. And, in all honesty, we -- we've  
22 got some challenges, and I think that's obvious.

23 But I also want to express my optimism, that  
24 we've got an amazing chance in front of us if we work  
25 together. And I honestly -- you'll see me coming back,

1 meeting after meeting, asking the question, "Are we  
2 working together? Are we doing things to extend  
3 ourselves that 51st step so that we can, in fact, have  
4 a much more constructive business and -- city business  
5 environment than we've had up until this point?"

6 Thank you.

7 MR. FERGUSON: Mr. Chairman.

8 THE CHAIRPERSON: Mr. Ferguson?

9 MR. FERGUSON: Two things I'd like to share  
10 before we go to hear Councilman Mays.

11 The other thing I want to say is that,  
12 speaking in the same spirit that Mr. Finney said, that  
13 what we're here today is really working on some plan to  
14 where we're going, you know. Where we've been is not  
15 where we want to be. And, hopefully, what this is  
16 about is giving a blueprint and opportunity to where  
17 we're going.

18 And I happen to believe that every member of  
19 the City Council and the Mayor and the Mayor's staff  
20 are all adults. And I really believe they're not  
21 tone-deaf. I believe they hear us. I believe they ran  
22 for office because they want to make Flint a better  
23 place. And I honestly believe that they recognize  
24 that, in some ways, that how they're interacting with  
25 each other is not making Flint a better City.

1                   And so I think that this here, in the spirit  
2                   to where we're trying to go, is why I'm going to vote  
3                   yes on this also. But, before I do, I hate to always  
4                   say how I'm voting before I hear what someone has to  
5                   say. So, if Chairman's all right, I'd like to hear  
6                   Mr. Mays' --

7                   THE CHAIRPERSON: Yes. If there's no  
8                   objection, we will go now to public comment.

9                   Patrick, do we have individuals signed up for  
10                  public comment?

11                  MR. DOSTINE: I do, Mr. Chair.

12                  THE CHAIRPERSON: We'll go in the order that  
13                  they signed in.

14                  MR. TOWNSEND: Mr. Chair.

15                  THE CHAIRPERSON: Yes?

16                  MR. TOWNSEND: If I may, I do understand that  
17                  there is a pattern that has been established over the  
18                  last -- especially the last couple weeks of individuals  
19                  going past the two minutes. I would ask that everyone  
20                  be respectful of our time and everyone else's time and  
21                  adhere to those two-minute meetings. Again, this is  
22                  something that is allowed at other meetings but I would  
23                  say it should not be allowed at this meeting, if we  
24                  could.

25                  THE CHAIRPERSON: I appreciate your

1 diplomatic way of saying the Chair's been too lenient.

2 Thank you.

3 Patrick.

4 MR. DOSTINE: Mr. Chair, the first request  
5 comes from Eric Mays.

6 THE CHAIRPERSON: Thank you. Councilman?

7 MR. MAYS: Yeah, I will say this in probably  
8 less than two minutes. I'm not necessarily just a  
9 member of the public. I'm an elected official in a  
10 democracy.

11 And, when I politely request an opportunity  
12 to chime in, as a minority member of a Councilperson,  
13 believe me, some of us have plenty of sense. It's not  
14 just Michigan State but I've known Mr. Finney and I  
15 know Mr. Townsend and I'm somewhere right in between.  
16 I know when I hear truth here and I know when I don't.

17 In fact, if we're in a crisis and in an  
18 emergency, if some come before you, particularly the  
19 replacement of lead pipes, I don't care if I have to  
20 meet for two, three, four hours into the night. People  
21 are dying and every excuse I hear is lame.

22 I don't believe in emergency managers. I  
23 don't believe in you, as an RTAB. And,  
24 personality-wise, when I see you sit and say what  
25 should happen and then I reach out to you, I'm starting

1 to lose confidence in you as individuals. I'm not a  
2 child. And I don't like to be mixed in a group of ten  
3 that I'm a child.

4 Because what I could say to you, if I wanted  
5 to be negative, that you sent some hypocritical message  
6 and now you're going to take some hypocritical actions.  
7 What actions you take don't phase me no more than  
8 Darnell Earley's order. I got a job to do and I  
9 represent people.

10 Right now with, what I'm hearing and the way  
11 you all treated me in this public arena, like I'm a  
12 public person versus an elected person. Guess what we  
13 say? I'm not a stunt act. Let's get it together,  
14 including you. Enough is enough. We know how to speak  
15 to a point. We're well-educated. We know courtesy and  
16 Robert's Rules.

17 God bless you. I wish I had did it in one  
18 minute.

19 THE CHAIRPERSON: Thank you, Councilman.

20 MR. DOSTINE: My next request, Mr. Chair, is  
21 Pastor Allen Gilbert.

22 PASTOR GILBERT: Thank you to the RTAB and to  
23 each one of you. I certainly do not -- Councilman Mays  
24 does not speak for me. I respect you and I realize  
25 that you're here to help us get through some minefield

1 that we're trying to be. And, Brother Finney, you  
2 spoke what was in my heart. I was waiting for you to  
3 say the word "trust". It is certainly a place where  
4 you don't want to be when you're representing people.  
5 But the bottom line is that Administration and the  
6 Council, they must get there. Because the people will,  
7 more than likely, vote them all out of office if they  
8 do not.

9 And so that, I know that you have no dog in  
10 that fight; I know that you don't. So I just wanted to  
11 say to you that, from where I sat, being in the City of  
12 Flint for 42 years and what I've seen and the way we've  
13 been represented these last few years, there are very  
14 smart people in Administration. But I think that's  
15 their main problem; they are too concerned about how  
16 smart they are and as well on the Council, instead of,  
17 as brother Ferguson said, sitting down and talking like  
18 adults and being respectful. Respect will take you a  
19 long way. But when you do not respect people that  
20 you're trying to convince to come to some middle  
21 ground, then you have nowhere to go.

22 And so I know that some people feel that we  
23 come to this mic and we say things that we want to say  
24 and sometime we do do that. But the bottom line for  
25 you all that I'm going to say to the RTAB today is that



1           there is a trust factor missing. And that trust  
2           factor, on one end you have the Council, on the other  
3           hand you have the Administration.

4                       And I voted for the Mayor but I'm going to  
5           continue to critique her because I can do that and I do  
6           pay taxes. The other thing is I'm going to critique  
7           Council as well because they represent the people and  
8           the citizens are in the middle. And I thank you,  
9           Brother Headen, for saying that, talking about the  
10          citizens. Because, in this fight of whatever it is,  
11          the Council should be able --

12                      THE CHAIRPERSON: Gentleman, time is up.

13                      MR. GILBERT: -- to be with Administration on  
14          equal territory.

15                      Thank you, sir.

16                      THE CHAIRPERSON: Thank you.

17                      MR. DOSTINE: Mr. Arthur Woodson.

18                      MR. WOODSON: How you doing, Mr. Townsend?  
19          The RTAB took us back a whole lot while the Emergency  
20          Manager was here. So they have been a whole big part  
21          of this situation here.

22                      Mr. Finney, the question that you asked, what  
23          is it that by giving the City Council their powers back  
24          can help? It makes it to where they have to come and  
25          talk to them because, the simple fact, anything over

1           \$10,000, they have to come and talk to the City  
2           Council. It forces them to bargain. It forces them to  
3           compromise. That's the thing.

4                       Plus, it's a -- a checks and balance.  
5           Because the City Administrator cannot make contract  
6           deals or anything else up to \$75,000. That's one of  
7           the main reasons why it should be here and why it  
8           should be done. By looking in the Charter about a  
9           financial supervisor or a financial Chairman, look in  
10          there also, Gilcrest, Dumas and Pastor Overton should  
11          not be down in here in City Hall. In there, it says  
12          classified services, the person that's working at the  
13          Mayor's pleasure should be a resident of the City of  
14          Flint. If not, they should have a waiver. Gilcrest  
15          is -- Gilcrest -- Mr. Gilcrest is the senior advisor to  
16          the Mayor. So did he come in front of the City Council  
17          and get a waiver?

18                      So, if we're going to be technical about it,  
19          let's be fair. Let's be fair all across the board.  
20          Don't come up here because the simple fact you sent a  
21          letter into Schneider, an e-mail to Schneider, that  
22          made the City Council mad. Mays go down to the City  
23          Council's -- I mean the Mayor's office any time he want  
24          to. So he's able to communicate with the Mayor all the  
25          time because he plays the part. He just don't want the

1 City Council getting power back because he'll be at the  
2 bottom of the totem pole.

3 Let's -- let's look at it the way it is here.  
4 That's how it is. And they do need to know that  
5 because it would be checks and balances. That's why  
6 they need their powers back to where they have to  
7 communicate with them.

8 Thank you.

9 THE CHAIRPERSON: Thank you.

10 MR. DOSTINE: The next request comes from  
11 R.L. Mitchell.

12 MR. MITCHELL: Good evening. My name is  
13 R.L. Mitchell. I reside at 759 East Lyndon Avenue.  
14 And to the RTAB, you represent the Advisory Board but  
15 Mike and Michael Townsend talking about we do -- you  
16 spoke for both you all when you spoke about we do  
17 matters. But Mays, he speaks for me because he's my  
18 Councilman.

19 Like -- and Mr. Frederick speak for you guys  
20 talking about he don't give a care because he's the  
21 Advisory Board and I don't know about this fellow Joel  
22 because -- and we the People of Flint. That's why we  
23 had this televised. We the people do give a care about  
24 what you, Frederick, say about "advise" because we  
25 go -- we hope you advise after you all get to

1           communicate with these two, Michael and Michael,  
2           whatever they call they-self putting over to the  
3           public.

4                         And we, the people, will be what -- what we  
5           started from, what this dude was talking about. This  
6           fellow Joel talking, right here, talking about what we  
7           started, we going to finish it and into the future and  
8           all this stuff.

9                         And when you talk to my Councilman, Man, like  
10          you don't give a -- Man, Frederick, I know your --  
11          whatever you say goes and you -- whatever my Councilman  
12          say goes, too. We the people. Now take that.

13                        And another thing, Man, the forum with this  
14          administration about land a lot, this woman and pulling  
15          stuff, trying -- Ms. Henderson. Yeah, give her  
16          another -- show her kindness. I already asked the  
17          Mayor to show her kindness. And put her back on the  
18          Board.

19                        THE CHAIRPERSON: Thank you.

20                        MR. DOSTINE: Our next request, Mr. Chair, is  
21          Mr. A.C. Dumas.

22                        MR. DUMAS: Thank you. My name is A.C. Dumas  
23          and I want to start saying that I've been coming to the  
24          Council longer than anybody that's on the Council, for  
25          the last 45 years, consistently. And I just want to be

1 consistently coming to these chambers. I know what  
2 Mr. Townsend talked about where they didn't go to --  
3 they weren't allowed and permitted to go to meetings.  
4 Because, in the Charter, other administrators will not  
5 even allow their administration to go to Council  
6 meetings because it was like an attack dog.

7 The Charter is very plain and clear. If you  
8 want to know something, you put it in writing and you  
9 send it to the Mayor's office. The Mayor then sends it  
10 to whatever department and they respond to it. And,  
11 you know, you cannot have Councilmembers going to  
12 Finance Directors, going to this one and this one,  
13 which it used -- it takes the authority from the Mayor.

14 So I had -- you know, and I said this all  
15 along. And I don't make no policy to support the  
16 Mayor. I don't make -- if she listens to me, fine. If  
17 she doesn't, fine. But I'm going to say what I'm going  
18 to say. You know, I've been president of the AACP, now  
19 I'm vice-president of AACP. That don't bother me, you  
20 know, hitting me don't bother me.

21 But if I would give any advice to this  
22 administration, if any of the Councilmembers want to  
23 know something, follow the Charter and make them send  
24 it in writing to the Mayor's office. That's what the  
25 Charter is. That's why the fathers and ladies of --

1 that did the Charter put it in there.

2 Now, you know, with what you got now, you've  
3 got people from the Council calling this department  
4 head and they getting information and this one -- then  
5 they come back, as Kate Field did, and hit the mayor  
6 upside the head; that's what they do, rather than  
7 giving power back. It don't make no difference because  
8 you all here, they don't have no power. The power is  
9 here when you all leave out; then they have their power  
10 back. Thank you.

11 THE CHAIRPERSON: Thank you.

12 MR. DOSTINE: The next request is  
13 Ms. Claire McClinton.

14 MS. McCLINTON: Good afternoon. I really  
15 don't like having to come before this Transition  
16 Advisory Board because it reminds us of our dismantling  
17 of democracy in the City of Flint. And a lot of what  
18 we're hearing today is some of an outgrowth of the fact  
19 that our democracy was taken away.

20 And the Council that we have in place today  
21 has not functioned under home rule. Our Mayor has not  
22 been a Mayor under home rule. So some of this  
23 confusion and the back and forth that's going on -- and  
24 I resent coming up here, dissing the mayor, dissing --  
25 I don't appreciate that.

1                   You're not judges and juries and things, like  
2                   you're not arbitrators. This is not divorce court.  
3                   This is dictatorship. And this has been a source of  
4                   the stress. We're under stress. We under  
5                   posttraumatic stress. We're -- we've been poisoned.  
6                   We can't go to our Council and get a resolution.

7                   Now, I have this, as my doctor stand here and  
8                   brought -- and bring up issues I had with the Council.  
9                   But I know one thing they did, they voted to go back to  
10                  the Detroit River so we could get some quality water  
11                  and that was cast aside.

12                  And some of this confusion and stress that  
13                  we're here hearing and trying to find our way to who's  
14                  what's what is because of the lack of democracy in this  
15                  town. So I say to you that the citizens of Flint, the  
16                  city that launched the great sit-down strike to gain  
17                  UAW recognition, the city that had the first black  
18                  mayor, the city that passed --

19                  THE CHAIRPERSON: I'm sorry. Time is up.

20                  MS. McCLINTON: We will -- we know how to run  
21                  our city. Thank you.

22                  THE CHAIRPERSON: Thank you.

23                  MR. DOSTINE: Okay. The next request comes  
24                  from Ms. Dorothy Bachelder and this would conclude  
25                  public comments.

1 THE CHAIRPERSON: Thank you.

2 MS. BACHELDER: Good afternoon. I've been  
3 coming to these Council meetings since October.  
4 Eric Mays is the one that got me involved because he's  
5 the only one that really cared for the children of this  
6 city. Your Councilmembers wouldn't even hold an  
7 emergency meeting. I am tired of coming. They just  
8 now got the Robert's Rules. They were given each a  
9 book so that they may learn the rules.

10 I'm upset with the governor. Rick Snyder is  
11 not my governor. He has done a disgrace to the Great  
12 Lakes when he did this KWA. How can you sit there when  
13 this city is in receivership and yet now they're on the  
14 hook for \$700,000 a month for water they can't even  
15 drink? How dare you? How dare you?

16 I am angry. You sit there like you know all  
17 the answers. Answer that. How did the KWA get to be?  
18 Jeff Wright should have been in jail a long time ago.

19 Darnell Earley, he should go. Mayor Walling  
20 should go. He had that report from 2011. Have any of  
21 you even read that report? There was supposed to be  
22 another one done. Where was that? On the sediments?

23 That Flint River is a super fund site. It  
24 shouldn't have never been used. And yet Jeff Wright,  
25 alone said maybe use the DR? How dare you? Children



1 are poisoned. I can't imagine being you and sitting  
2 there doing nothing.

3 THE CHAIRPERSON: Thank you.

4 Further public comment?

5 MR. DOSTINE: That concludes public comments.

6 THE CHAIRPERSON: Thank you.

7 MR. DOSTINE: You're welcome.

8 THE CHAIRPERSON: Questions on the adoption  
9 of the motion; any further questions, gentlemen?

10 If not, this is an RTAB resolution that  
11 requires a record roll call vote.

12 Mr. Ferguson, how do you vote?

13 MR. FERGUSON: Yes.

14 THE CHAIRPERSON: Mr. Ferguson votes yes.

15 Mr. Finney?

16 MR. FINNEY: Yes.

17 THE CHAIRPERSON: Mr. Finney votes yes.

18 Mr. Townsend?

19 MR. TOWNSEND: Yes.

20 THE CHAIRPERSON: Mr. Townsend votes yes.

21 Chair votes aye.

22 There are four ayes, no nos, Resolution  
23 2016-4 is adopted.

24 Are there any further items coming before the  
25 Board this afternoon?

1                   If not, is there a motion that we adjourn?  
2                   MR. FERGUSON: So move.  
3                   THE CHAIRPERSON: Is there support?  
4                   MR. TOWNSEND: Support.  
5                   THE CHAIRPERSON: Without objection, we are  
6                   adjourned. Thank you.  
7                   (Meeting was concluded at 3:19 p.m.)

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C E R T I F I C A T E

I, Mona Storm, do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the meeting, at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of (59) pages, is a true and correct transcript of my said stenographic notes.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mona Storm  
CSR-4460