



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

NICK A. KHOURI
STATE TREASURER

**RECEIVERSHIP TRANSITION ADVISORY BOARD
FOR
THE CITY OF FLINT**

RESOLUTION 2016-3

AMENDING EMERGENCY MANAGER AMBROSE ORDER No. 3

WHEREAS, Section 23(1) of Public Act 436 of 2012, the Local Financial Stability and Choice Act (the "Act"), provides that “[b]efore removing a local government from receivership, the governor may appoint a receivership transition advisory board to monitor the affairs of the local government until the receivership is terminated”; And

WHEREAS, Section 23(2) of the Act provides that “[a] receivership transition advisory board shall consist of the state treasurer or his or her designee, the director of the department of technology, management, and budget or his or her designee, and, if the local government is a school district, the superintendent of public instruction or his or her designee. The governor also may appoint to a receivership transition advisory board 1 or more other individuals with relevant professional experience, including 1 or more residents of the local government”; And

WHEREAS, Section 23(5)(h) of the Act authorizes a receivership transition advisory board to perform, in addition to duties specified in the Act, “any other duties assigned by the governor at the time the receivership transition advisory board is appointed”; And

WHEREAS, on April 29, 2015, the Governor appointed a Receivership Transition Advisory Board for the City of Flint (the “Board”). The Governor’s appointment letter authorized the Board to, among other things, “[r]ecommend amendments, modifications, repeal, or termination

of Emergency Manager Order No. 20, or any other Flint Emergency Manager orders, to the State Treasurer.”

NOW THEREFORE, be it resolved by the Board as follows:

1. That it be recommended to the State Treasurer that Paragraph 21 of Flint Emergency Manager Ambrose Order No. 3 be amended to read as follows:

~~Review current and potential litigation and labor disputes with the City Attorney and Mayor, and as needed the Board, and have complete decision making authority on behalf of the City, on all matters of litigation and labor disputes, including the ability to settle or initiate lawsuits and resolve labor disputes. The Mayor and City Council shall be consulted on such matters prior to implementation.~~ CHIEF LEGAL OFFICER, CHIEF FINANCIAL OFFICER, MAYOR, AND CITY COUNCIL, AND WITH THE CONCURRENCE OF THE CHIEF LEGAL OFFICER, PROPOSE TO THE MAYOR, AND CITY COUNCIL CONSISTENT WITH SECTION 4-604 OF THE CITY CHARTER, THE SETTLEMENT OR INITIATION OF LITIGATION OR RESOLUTION OF A LABOR DISPUTE. A PROPOSED SETTLEMENT OR INITIATION OF LITIGATION OR RESOLUTION OF A LABOR DISPUTE SHALL CONTAIN A DETAILED STATEMENT BY THE CHIEF FINANCIAL OFFICER INDICATING THE ESTIMATED FINANCIAL IMPACT UPON THE CITY FOR EACH FISCAL YEAR AFFECTED BY THE PROPOSED SETTLEMENT OR INITIATION OF LITIGATION OR RESOLUTION OF A LABOR DISPUTE. A PROPOSED SETTLEMENT OR INITIATION OF LITIGATION OR RESOLUTION OF A LABOR DISPUTE SHALL NOT BE EFFECTIVE UNLESS APPROVED BY THE BOARD.

2. That the minutes of the Board meeting at which this Resolution is adopted take notice of the adoption of this Resolution.
3. The State Treasurer may approve this Resolution by executing a counterpart copy separate from that approved by the Board, each of which copies when executed shall be deemed an original, but all of which when taken together shall constitute one and the same Resolution.
4. This Resolution shall have immediate effect.

IN WITNESS WHEREOF, the members of the Receivership Transition Advisory Board for the City of Flint, or their designees, have signed and adopted this Resolution.

FLINT RECEIVERSHIP TRANSITION ADVISORY BOARD

By Frederick Headen
Frederick Headen, Chairperson

By Joel Ferguson
Joel Ferguson, Board Member

By Michael A. Finney
Michael A. Finney, Board Member

By Michael A. Townsend
Michael A. Townsend, Board Member

Date: 3-31-16
Flint, Michigan

Approved pursuant to the Governor's April 29, 2015, letter appointing the Receivership Transition Advisory Board for the City of Flint.

By N.A. Khouri
N.A. Khouri, State Treasurer

Date: 4/5/16
Lansing, Michigan