

1 CITY OF FLINT  
2 RECEIVERSHIP TRANSITION ADVISORY BOARD MEETING  
3 WEDNESDAY, OCTOBER 19, 2016  
4 1:00 p.m.

5  
6 Meeting before the  
7 RTAB Board at Flint City Hall, Flint, Michigan, on  
8 Wednesday, October 19, 2016.

9  
10 BOARD MEMBERS PRESENT:

11 Frederick Headen - The Chairperson  
12 Michael Finney (telephonically)  
13 Joel Ferguson  
14 Michael Townsend

15 FROM THE CITY:

16 Councilmember, Barry Wolf  
17 Kendall Williams  
18 Council President, Kerry Nelson  
19 Sylvester Jones, Jr.  
20 David Sabuda

21 OTHERS PRESENT:

22 R. Eric Cline  
23 Arthur Woodson  
24 Nancy Burgher, interrupted by Pastor Gilbert  
25 Eric Mays  
26 R.L. Mitchell

27 REPORTED BY: Mona Storm, CSR# 4460

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1 Flint, Michigan

2 Wednesday, October 19, 2016

3 1:17 p.m.

4 THE CHAIRPERSON: The meeting will be in  
5 order, please. I hope everybody can hear me. We'll  
6 begin with the roll call. Let the record please  
7 reflect a that a quorum is present. We also hope to be  
8 able to connect, by telephone, with Mr. Finney shortly.

9 The next item on the agenda is the approval  
10 of the agenda. Do any members have any additions to  
11 the agenda?

12 If not, we'll consider the agenda to be  
13 approved.

14 Next item is the approval of the RTAB minutes  
15 of the regular meeting of September 14th.

16 MR. FERGUSON: I so move.

17 THE CHAIRPERSON: A motion's been made that  
18 those will now be approved and submitted. Is there  
19 support?

20 BOARD MEMBERS: Aye.

21 MR. TOWNSEND: I have a correction. I'm  
22 sorry.

23 THE CHAIRPERSON: Mr. Townsend has a  
24 correction.

25 MR. TOWNSEND: All right. The minutes

1 reflect that Mr. Townsend was on the phone but actually  
2 it was Mr. Finney that was on the phone.

3 MR. FINNEY: I was going to make the same  
4 correction.

5 THE CHAIRPERSON: Mr. Finney has joined us  
6 and he indicated that he was going to make the same  
7 correction.

8 MR. FERGUSON: And I move that the minutes be  
9 approved with that correction.

10 MR. TOWNSEND: Support.

11 THE CHAIRPERSON: Are there other  
12 corrections?

13 If not, without objection, the minutes are  
14 approved as directed.

15 There is no unfinished business.

16 New business, Mayor and Council. I  
17 understand the Mayor is ill this afternoon and is not  
18 with us but I also understand that we have  
19 representatives from the Mayor's office.

20 And will the Council update us regarding --

21 MR. WOLF: Thank you.

22 THE CHAIRPERSON: -- a matter of business?  
23 Gentlemen, who's going to present?

24 MR. WOLF: Barry, why don't you go ahead?

25 THE CHAIRPERSON: Please state your name for

1 the record.

2 MR. WOLF: Chairman, Barry Wolf. I'm here on  
3 behalf of the City Council and also Scott Kincaid.  
4 And, also, Attorney Kendall Williams is here on behalf  
5 of Mayor. I just wanted to bring the Board an update.

6 The parties have been involved in intense  
7 negotiations to dissolve a dispute regarding the  
8 garbage contract. I think they said we'll reach the  
9 end of the agreement. We're trying to work out the  
10 final provisions of the written document, the written  
11 settlement dismissal document that we believe should be  
12 presented to the Board.

13 If the Board's kind enough to have a special  
14 meeting next week, it will be presented to the Board as  
15 early as next week.

16 MR. WILLIAMS: That is correct. Again, as  
17 lawyers, we have the concepts that our clients provide  
18 us, craft language, and that's what we've been doing,  
19 frankly, all morning. But that's the plan. We  
20 obviously have to be indebted by all parties, present  
21 it to the Court for approval and, ultimately, to this  
22 body for approval. The City Council has voted for  
23 approval.

24 THE CHAIRPERSON: Gentlemen, this issue's  
25 been before us since the end of June, early part of

1 July, so we commend you for your efforts so far.

2 Also, we commend the efforts of the parties  
3 that you represent. I wish you best of luck in trying  
4 to finalize this agreement and look forward to having  
5 resolutions before us shortly embodying the acts of the  
6 agreement.

7 MR. WOLF: Okay. Thank you very much.

8 THE CHAIRPERSON: We do have with us the  
9 Council President so I want to give you an opportunity,  
10 Mr. President, if you wish to address the Board.

11 MR. NELSON: Thank you. This afternoon, just  
12 very briefly, I wanted to make sure that attorneys on  
13 both sides had time to talk and to make sure that the  
14 RTAB hear. And so, with that, we've working for a long  
15 time to try to come to the end to this and it looks  
16 like one is in sight. So we appreciate your patience  
17 and your time. But, hopefully, we can get that before  
18 you real soon. Thank you so much.

19 THE CHAIRPERSON: Thank you, Council  
20 President.

21 Next item would be the approval of  
22 resolutions and ordinances from the City Council  
23 meeting. We'll begin with resolutions from the Regular  
24 City Council meeting of September the 12th.

25 I'll call upon Mr. Cline to summarize, for

1 members of the public, the resolutions before us.

2 Mr. Cline.

3 MR. CLINE: Yes. Good afternoon. Contained  
4 in this meeting that we'll be addressing today,  
5 Resolution --

6 MR. FINNEY: Excuse me. Through the Chair  
7 (inaudible.)

8 THE CHAIRPERSON: Are you having difficulty  
9 hearing the speaker?

10 MR. FINNEY: Yeah, I'm not hearing the  
11 speakers very well at all but I can hear you just fine.

12 MR. CLINE: Yeah. I'm afraid that's going to  
13 be the limitation of the acoustics. But I'll try and  
14 speak up in the microphone a little better.

15 At this meeting, we have several resolutions,  
16 Resolution 242.1 regards the issuance of appearance,  
17 all tickets up through August the 29th of this year.

18 Resolution 400.1 and 401 -- no. I'm sorry.  
19 Resolution 400.1 deals with a public hearing.

20 Resolution 401 is the issuance of a  
21 contract -- or change order of a contract to Benefit  
22 Consulting in the amount of \$90,000.

23 Resolution 402 is a contract with Johnson and  
24 Wood Corporation for chiller replacement in the amount  
25 of \$97,000.

1                   Resolution 403 is for the purchase of water  
2 meters in the amount of \$500,000.

3                   Resolution 404 is a change order on the  
4 janitorial service contract, a two-year extension in  
5 the amount of \$177,000.

6                   Resolution 405 is a contract for plumbing  
7 supplies in the amount of \$81,000.

8                   Resolution 406 is a bulk salt, road salt,  
9 purchase in the amount of \$300,000.

10                  And Resolution 408 is a personal service  
11 agreement with Dr. Pamela Pugh as Chief Health Advisor  
12 at a rate of \$48.07 per hour.

13                  I would also like to note, for the record,  
14 that Resolutions 419 the Board addressed at a previous  
15 meeting so that's not under consideration this morning  
16 (sic), so --

17                  THE CHAIRPERSON: Members and Mr. Finney,  
18 Mr. Cline just went through the list of resolutions  
19 from September 12th City Council meeting. Are there  
20 any questions regarding any of those resolutions?

21                  If not, is there a motion that those  
22 resolutions be approved?

23                  MR. FERGUSON: So move.

24                  THE CHAIRPERSON: Is there support?

25                  MR. TOWNSEND: Support.



1 THE CHAIRPERSON: A motion's been made and  
2 seconded. Is there any discussion?

3 If not --

4 MR. FINNEY: I have a question (inaudible.)

5 THE CHAIRPERSON: That's correct.

6 MR. FINNEY: (Inaudible.)

7 MR. FERGUSON: Mr. Finney's question was to  
8 clarify, one, that the resolutions just discussed were  
9 under Item 1 on the agenda, Item III, 1.

10 Motion's been made and seconded and pending.  
11 Those in favor of the motion, please say "aye".

12 BOARD MEMBERS: Aye.

13 THE CHAIRPERSON: Opposed?

14 Motion is adopted. City Council resolutions  
15 have been approved from September 12th.

16 The next item, resolutions from Special City  
17 Council meeting of September 14.

18 Mr. Cline.

19 MR. CLINE: Just to note that there is one  
20 item on that meeting which was an amendment to the  
21 master fee schedule. The Board's addressed that at its  
22 last meeting so no action is warranted for this  
23 meeting.

24 THE CHAIRPERSON: We will proceed, then, to  
25 resolutions from the Regular City Council meeting of

1 September 26.

2 MR. CLINE: All right. Several meet -- or  
3 several resolutions, Resolution 421, 422 and 423, were  
4 addressed at a prior meeting. Resolution 399 was  
5 separated for a separate discussion because some of the  
6 actions that the Board took.

7 So Resolution 400.4 was a public hearing that  
8 is conducted.

9 And then, for regarding Resolution 399, that  
10 was an item approval of an Information Technology  
11 contract. The City Council actually approved that at  
12 their September 12th meeting. At this meeting, that  
13 item was reconsidered and, in the vote -- subsequent  
14 vote, that approval was not rendered. So that item was  
15 voted down.

16 THE CHAIRPERSON: So no action needs to be  
17 taken by us on Resolution 399 because it was  
18 reconsidered and disapproved by the Council.

19 That leaves Resolution 400.4?

20 MR. CLINE: Yes.

21 THE CHAIRPERSON: Is there a motion that that  
22 resolution be approved?

23 MR. TOWNSEND: Motion to approve.

24 THE CHAIRPERSON: Is there support?

25 MR. FERGUSON: Support.

1 THE CHAIRPERSON: Motion's made and  
2 supported. Is there any discussion regarding  
3 Resolution 400.4 from the Regular City Council meeting  
4 of September 26th?

5 Hearing none, those in favor of the motion,  
6 please say "aye".

7 BOARD MEMBERS: Aye.

8 THE CHAIRPERSON: Opposed?

9 Motion is adopted.

10 That takes us to resolutions from the Regular  
11 City Council meeting of October 10th. There are four  
12 resolutions there under Attachment 5.

13 Mr. Cline.

14 MR. CLINE: Yes. These resolutions,  
15 specifically Resolutions 439 and 440, the Mayor's  
16 office has to pull those forward for consideration,  
17 given the nature of the requests.

18 Due to the meeting being postponed from the  
19 last meeting, we had sufficient time to review those.  
20 So we thought that was warranted. We also recommended  
21 that the other two resolutions now may be included so  
22 just to go through those very briefly.

23 Resolution 437 is a contract for McKay  
24 Electric for light upgrades in the amount of \$372,000.

25 Resolution 438 is also a contract with McKay

1 Electric for switch gear upgrades at one of the lift  
2 stations in the City in the amount of \$338,000.

3 Resolution 439 is the contract for water  
4 service line replacement in Wards 2, 6 and 8 in the  
5 amount of \$1.66 million.

6 And Resolution 440 is also a separate  
7 contract for water service line replacement in Wards 3,  
8 4, 8 and 9 across the City in the amount of  
9 \$2.3 million.

10 THE CHAIRPERSON: Is there a motion that  
11 Resolutions 437, 438 and 439 and 440 from the regular  
12 City Council meeting of October 10th be approved?

13 MR. FERGUSON: So move.

14 THE CHAIRPERSON: Is there support?

15 MR. TOWNSEND: Support.

16 THE CHAIRPERSON: Is there any discussion?

17 Hearing none, those in favor of the motion,  
18 please say "aye".

19 BOARD MEMBERS: Aye.

20 THE CHAIRPERSON: Opposed?

21 Motion is adopted.

22 The next item of business is City  
23 Administrator items. Mr. Jones?

24 MR. JONES: Good afternoon. The only issue  
25 that I have before you today is the budget to actual

1 and I'll refer to our Interim Chief Financial Officer,  
2 Mr. David Sabuda, who will present that.

3 THE CHAIRPERSON: Thank you.

4 MR. SABUDA: Good afternoon.

5 THE CHAIRPERSON: Good afternoon.

6 MR. SABUDA: Thank you for the opportunity.  
7 I won't walk you through the entire report, budget to  
8 actual September 22nd memorandum. I highlighted a few  
9 issues regarding the operations of the City and,  
10 specifically, the three funds that are at risk, which  
11 we have the millages that are currently outstanding  
12 that are up for renewal this November.

13 The water fund update on the water fund in  
14 regards to cash flow, water collection, we're  
15 instituting water collections. Several of the  
16 commercial customers were going into residential  
17 collection.

18 Basically, what that's all about is, in order  
19 to continue credits through the State of Michigan, we  
20 need to restart our collection rates. We need to get  
21 seven percent. Currently, right now, we're at  
22 49 percent. When this report came out, we were at 44.  
23 I am pleased to report that the commercial collection  
24 effort is doing quite well. And, as we go through this  
25 process, we hope to see that that collection will be

1 increased.

2           Please note that we're going to start an  
3 ordinance in regards to a shut-off penalty and we're  
4 starting with the commercial piece and moving over to  
5 the residential piece by the end of this month. So  
6 this is all in an effort to get up to a 70 percent  
7 collection rate and also to start collecting so that we  
8 can start paying our bills.

9           What you had before you, all funds, all the  
10 operative funds, budget to actual for the month of  
11 August, for June '16 and August '16, are before you.  
12 These are our major funds.

13           We are in compliance with Public Act 268, as  
14 amended. And we also have cash balances attached to  
15 this report, by fund, with the exception of the grant  
16 funding. The grant fund, which would be Fund Number  
17 274, our cash position is positive.

18           When it comes to grant funding, we have to  
19 spend the money first and then ask for reimbursement on  
20 the back end. So we are in the process right now of  
21 looking for our reimbursements from the State and  
22 Federal revenue. We anticipate that those dollars will  
23 be coming in.

24           With that, I'll entertain any questions that  
25 the Board may have.

1 THE CHAIRPERSON: With regards to the water  
2 fund, am I correct that the budget to actual -- and I'm  
3 looking at the -- yeah. Let's take the '15/'16 amended  
4 budget a figure of \$3.6 million. Are the numbers on  
5 the revenue side --

6 MR. SABUDA: Mr. Chair, excuse me. I  
7 couldn't hear you. Could you repeat? You were looking  
8 at the water fund?

9 MR. FERGUSON: Yes, it's the budget to actual  
10 water fund, Account 591. And you have several columns  
11 here, amended budget for '15/'16, year-to-date and  
12 '16/'17 amended budget. Are those numbers the  
13 revenue -- they're really projected revenue, correct?

14 MR. SABUDA: Let --

15 THE CHAIRPERSON: In other words --

16 MR. SABUDA: Oh. Go ahead.

17 THE CHAIRPERSON: -- if you collected  
18 everything that you would bill, you would generate that  
19 number but, of course, you're at 49 percent?

20 MR. SABUDA: Okay. What you see there, we're  
21 at Johnson's Services' vendor number, \$3.164 million.  
22 That's what we have billed. It doesn't mean that's  
23 what we have collected. That means that's what we have  
24 billed.

25 THE CHAIRPERSON: Okay.

1                   MR. SABUDA: Okay. So it's an accrual-based  
2                   accounting. It's an enterprise fund. So I send the  
3                   bills out and we record what we've sent out and then we  
4                   set up a receivable.

5                   I won't get into accounting here. But then,  
6                   when the monies come in, I'm debiting a cash primary  
7                   receivable. So we would hope that, if everyone paid  
8                   their bills, we would receive \$3.4 million. Yep, good  
9                   question.

10                  THE CHAIRPERSON: And what was the cash  
11                  balance in the water fund on, let's say, July 1 of this  
12                  year?

13                  MR. SABUDA: Okay. If you turn to your -- if  
14                  you look at your -- attached to your report, you'll  
15                  have July 1 of 2016. It will be the 1, 2, 3 -- it will  
16                  be the last page in your report from -- that I've given  
17                  you.

18                  Okay. There you go. You'll see the 591  
19                  fund. The first column is the 7-1 of '16 cash  
20                  balances. So, in our commercial account where we paid  
21                  all our bills, we have \$2.4 million. The cash reserve  
22                  is restricted for debt; I can't touch that. That's a  
23                  bond covenant issue. So that sets aside \$1.4 million.

24                  And then I had invested 2 -- 3.9 million that  
25                  we will chip away as we require cash to pay our bills.



1 THE CHAIRPERSON: So those numbers -- so is  
2 the cash number, specifically, here 33.2 million?

3 MR. SABUDA: Correct. Note that the 5.8 is  
4 restricted.

5 THE CHAIRPERSON: Okay.

6 MR. SABUDA: And that gets back to my report  
7 about the 22 million that I referenced in my report at  
8 the beginning of my memorandum.

9 THE CHAIRPERSON: So roughly 28 million? And  
10 what would you expect the number to be on June 30,  
11 2017?

12 MR. SABUDA: We are looking at a number right  
13 now. I would say approximately 6-point -- I'm sorry --  
14 I did not mention it in my report. We're estimating  
15 between \$6 and \$8 million... \$628 million. So you can  
16 see that cash balance is going to evaporate rather  
17 quickly if we don't start collecting.

18 THE CHAIRPERSON: So you expect to burn  
19 through about 21.2 million cash between now and the end  
20 of June?

21 MR. SABUDA: That's correct.

22 THE CHAIRPERSON: Which is consistent with  
23 the testimony you gave, which I read to the  
24 U.S. District Court on September 14th.

25 MR. SABUDA: Uh-huh.

1                   MR. FERGUSON: And that would be exclusive of  
2 the \$5.8 million reserve?

3                   MR. SABUDA: That's correct.

4                   MR. FERGUSON: Is there a particular  
5 acceptable balance that you would consider to be in the  
6 water fund, given the size of the City and number of  
7 accounts, for example, and where would it fall between  
8 \$28 million currently and the projected 6 million or so  
9 you expect by the end of June of the next year?

10                  MR. SABUDA: I think the -- let's start --  
11 setting into the cash, let's look at the fund balance.  
12 I think what the City has done here is I set up fund  
13 balance to accept policy numbers in order to accumulate  
14 fund balance by fund. And, in the water fund -- and  
15 that would be cash. They saved 25 percent of the fund  
16 balance of expenditures. 25 percent of the  
17 expenditures would be what you want from balance to be.  
18 Now, that's policy in Flint. And I think it would be  
19 wonderful to have that all in cash. Okay?

20                  However, as you know, we have a lot of  
21 infrastructure in the ground. We have plant equipment.  
22 So that also plays off. But, at the end of the day,  
23 25 percent of fund balance -- or of expenditures in the  
24 fund balance would be great. So what that would do is  
25 that would give you a quarter of a year to plan.

1                   So let's say we had a disaster. You have --  
2                   and we had it all in cash, you would have three months  
3                   to plan and -- help a plan so that you can move forward  
4                   in a situation like this. So 25 percent of the  
5                   expense. So we have 40 million in expenses so it would  
6                   be nice to have between 10, 10 to \$20 million cash to  
7                   help us through with a \$40 million budget, get you in  
8                   the ballpark.

9                   THE CHAIRPERSON: Thank you.

10                  MR. SABUDA: You're welcome.

11                  THE CHAIRPERSON: Other questions?

12                  MR. FINNEY: Mr. Chair, just a clarification  
13                  I had. When you got to the designated reserve policy  
14                  of 25 percent, that included a local (inaudible)?

15                  THE CHAIRPERSON: I believe the 25 percent  
16                  reserve is --

17                  MR. SABUDA: Each fund has a separate policy.  
18                  The 25 percent of expenditures is the City's policy  
19                  right now. And you want to continue that -- you would  
20                  like -- ideally, you'd like to have that in cash. That  
21                  way, we would get a quarter of the year's reserve in  
22                  order to help you through that period of time. It  
23                  gives you 90 days to plan. It seems like a reasonable  
24                  amount to make decisions and then move forward.

25                  THE CHAIRPERSON: Mr. Finney, were you able

1 to hear that?

2 MR. FINNEY: (Inaudible.)

3 THE CHAIRPERSON: Mr. Sabuta indicated that  
4 each of the funds has its own --

5 MR. SABUDA: Policy.

6 THE CHAIRPERSON: -- reserve number.

7 MR. SABUDA: Correct.

8 THE CHAIRPERSON: 25 percent that he was  
9 referring to earlier was the reserve for the water  
10 fund.

11 MR. SABUDA: That's correct.

12 MR. FERGUSON: And, ideally, he would like to  
13 have that entire 25 percent in cash.

14 MR. SABUDA: Like to.

15 THE CHAIRPERSON: Wouldn't we all?

16 Other questions?

17 MR. SABUDA: Thank you so much.

18 THE CHAIRPERSON: If there are no other  
19 questions regarding the budget to actual report, we'll  
20 consider that to be received.

21 Public comment, Mr. Cline?

22 MR. CLINE: Yeah. Yes, we have four  
23 individuals who have signed up for public comment.  
24 We'll begin today with Arthur Woodson.

25 MR. WOODSON: How are you doing? I'm

1 Arthur Woodson. I didn't know here, did you all take a  
2 vote on the end of the emergency purchase orders in the  
3 interim resolution?

4 THE CHAIRPERSON: Emergency purchase orders?

5 MR. WOODSON: Yeah. Did you all take up any  
6 of those?

7 THE CHAIRPERSON: Are you referring to the  
8 four that were submitted to the City Council?

9 MR. WOODSON: Yes.

10 THE CHAIRPERSON: No, I believe an all four  
11 of those orders were -- the disposition by the City  
12 Council was to file those under the consent agenda and  
13 no action was taken. So none of those four resolutions  
14 are before us.

15 MR. WOODSON: Okay. So, in order for them to  
16 be -- for the City to pay Rizzo, they would have to  
17 come before you all before they are paid, correct?

18 THE CHAIRPERSON: The City Council would have  
19 to act upon those four resolutions in some way.

20 MR. WOODSON: Because I -- I find it funny  
21 where the judge put a contract out there for 90 days on  
22 November 11, 2016 and there is no emergency, that we  
23 have two companies out here on the streets today and  
24 the City would have to pay Republic and then they would  
25 have to turn around and pay Rizzo. And, by that

1           being -- Mr. Ferguson, you're shaking your head. So we  
2           don't have to pay both?

3                       MR. FERGUSON: We're only going to pay for  
4           one service at a time.

5                       MR. WOODSON: So who's going to pay by the  
6           judge putting the order in?

7                       MR. FERGUSON: Whosever picking them up.

8                       MR. WOODSON: Both of them are picking them  
9           up.

10                      UNIDENTIFIED MALE: We can't hear you,  
11           Brother Ferguson, we can't hear you.

12                      MR. FERGUSON: Well, there's not going to be  
13           a duplication in paying. Let's say they pick up on  
14           your street and someone else picks up on my street.  
15           Then there would be the same total number paid.

16                      MR. WOODSON: But they overlapping each  
17           other.

18                      MR. FERGUSON: There wouldn't be a  
19           duplication. But that's not going to happen. And  
20           that's not before us. We're fine. Your question is a  
21           good question and your concern is valid, but it won't  
22           play off that way.

23                      MR. WOODSON: It won't? So we don't have --

24                      MR. FERGUSON: It will not play off that way.  
25           You will not be paying two people a duplication for the

1 same service.

2 THE CHAIRPERSON: I think Mr. Ferguson's  
3 point is what, we have 34,000 residences in the City.  
4 The presumption is that both companies are not going  
5 every week to the same 34,000 residences. Because  
6 whoever collected first would have collected the trash  
7 from that particular residence, there would be nothing  
8 left. I think that's your point.

9 MR. FERGUSON: That's the point.

10 MR. WOODSON: The emergency order says that  
11 we have to pay Rizzo \$33,000-plus and today we saw -- I  
12 have video of Republic and Rizzo going in back of one  
13 another, picking up on the same streets at the same  
14 time and --

15 THE CHAIRPERSON: I suspect that's going to  
16 be resolved. The attorneys who were here earlier, why  
17 there was an update, they're now, I think, back and  
18 forth. I expect that issue's going to get resolved  
19 with the negotiations. I can't tell what the outcome  
20 will be but I suspect that's going to be the way this  
21 gets resolved.

22 MR. WOODSON: I guess I was just wondering if  
23 the taxpayers would have to pay both companies.

24 MR. FERGUSON: (Nods head.)

25 MR. WOODSON: All right. That's what I

1 wanted to know.

2 MR. CLINE: Next individual is Nancy Burgher.

3 MS. BURGHER: Hello. I have two things. I  
4 heard about the water issue, paying up to the  
5 70 percent; I think that's baloney. I think that what  
6 they should do is go back and ask -- the Mayor should  
7 go back and ask Governor Rick Snyder to go ahead and  
8 pay that 70 percent up, not us because we can't use the  
9 water, can't drink the water, can't bathe in the water,  
10 can't rinse off our vegetables and fruits. So why  
11 should we pay for it? Our sewer is rotting out. The  
12 whole infrastructure needs to be replaced, period.  
13 Okay? So that's the first thing.

14 Second thing is this trash issue. Yes, they  
15 do go down the streets. Yesterday I confronted a man  
16 for Rizzo. I was sitting on my porch. I sit on my  
17 porch every morning. I was sitting on my porch. I  
18 watched Republic go down the street, they picked up  
19 everything but yard waste. Rizzo comes down the  
20 street, they come down the street, they see yard waste.  
21 It's a garbage truck. He pulls up just a little bit  
22 past because the sewer is also being worked on. He  
23 pulls up a little bit past it. The guy goes and grabs  
24 the yard waste.

25 I said, "You're not throwing that yard waste



1 in that truck, are you?"

2 He said, "Yeah, that's a yard waste truck."

3 I walked right out to the street --

4 THE CHAIRPERSON: The meeting will be in  
5 order, please.

6 Gentlemen.

7 Gentlemen, hey, there's a lady at the podium.

8 PASTOR GILBERT: Please forgive me. I'll  
9 repent.

10 THE CHAIRPERSON: We apologize.

11 MS. BURGHER: That's okay. I walked right  
12 out to the street. And, as I walked out to the street,  
13 I confronted the guy. And I said, "What is that? What  
14 is that?" And, of course, it was trash, everyday  
15 person's trash that was in a garbage bag. And I said,  
16 "That's trash and you're throwing yard waste in that  
17 trash can -- into that garbage truck." I said,  
18 "That's -- that's not right." And I watched him sit at  
19 the end of our road and I watched Republic go down the  
20 road as they're sitting in their trucks just like this.

21 THE CHAIRPERSON: Your time has expired.

22 MS. BURGHER: Okay. I understand that. I'm  
23 not going to use my taxpayer dollars to pay both of  
24 their companies when the Mayor wants Rizzo in here and  
25 the Council wants Republic. The people want Republic.

1 THE CHAIRPERSON: Thank you.

2 MS. BURGHER: Please make sure that --

3 THE CHAIRPERSON: I think, as Mr. Ferguson  
4 said earlier, we don't expect a total that's going to  
5 be paid or at least approved by this Board.

6 MR. FERGUSON: It's going to be corrected.  
7 And we appreciate your raising your question and we  
8 appreciate him raising the question.

9 MS. BURGHER: Well, it's obvious --

10 MR. FERGUSON: So next week your question, I  
11 hope, will be answered and it will be on the record.

12 MS. BURGHER: I hope so. Thank you.

13 MR. FERGUSON: Thank you.

14 MS. BURGHER: Time expired and people were  
15 talking.

16 MR. FERGUSON: Mr. Cline.

17 MR. CLINE: Eric Mays.

18 MR. MAYS: Chair, my name is Councilman Mays.  
19 I represent the 1st ward of the City of Flint. I have  
20 aggrieved for some comments to these RTAB meetings. My  
21 position is the same. I was here when I heard the RTAB  
22 to extend a probationary period as far as governors  
23 from October to December and I'm still concerned about  
24 that.

25 Me, personally, I wish the RTAB hadn't been

1           gone and never came and no emergency managers. I don't  
2           really trip off of the State who, in my opinion, have  
3           made some gigantic mistakes.

4                        Even in the process of this RTAB meeting, if  
5           I look at Resolution 438 and 439 and others that was  
6           passed, we've got internal debates about the  
7           wherewithal to do emergency resolutions. We've got a  
8           purchasing ordinance in place, we've got budgets that  
9           had been passed and I kind of smile because the RTAB  
10          ain't getting into the details that I'm getting in.

11                      I look at what just happened with Mr. Jones  
12          and Pastor Gilbert. I look at how you talked to  
13          Mr. Woodson back and forth and how I've been at  
14          previous meetings. It's faction and it's a group of  
15          people that include Council people who are not  
16          following the law, not following the Charter, not  
17          following the ordinances, prematurely in court, the  
18          Court of Appeals overturning stuff, rulings. I mean,  
19          Stevie Wonder and Ray Charles can see this.

20                      And I don't know what you plan to do at the  
21          end of that probationary period and I don't know when  
22          you will allow a special privilege for an elected  
23          official to communicate with you rather than what we're  
24          seeing here or in Charter. You got two facts; you need  
25          to hear from both.

1 God bless.

2 THE CHAIRPERSON: Thank you.

3 Mr. Cline.

4 MR. CLINE: That's all.

5 THE CHAIRPERSON: Is there any further  
6 business before the Board?

7 If not, we'll --

8 MR. FERGUSON: Move to adjourn.

9 MR. TOWNSEND: Support.

10 THE CHAIRPERSON: Mr. Mitchell, did you --

11 MR. MITCHELL: Yeah, I have a --

12 THE CHAIRPERSON: Did you sign up for public  
13 comment?

14 MR. MITCHELL: Yes, I did, sir.

15 MR. CLINE: I'm sorry. I missed him. I  
16 apologize.

17 THE CHAIRPERSON: We apologize, Mr. Mitchell.

18 MR. MITCHELL: Yeah. First of all, good  
19 evening, Mr. Ferguson. I liked what you said about  
20 addressing the lady.

21 But, hey, Michael, you hear me on the tape  
22 real good, Michael?

23 Michael, is this recorded?

24 MR. CLINE: He dropped the call.

25 MR. MITCHELL: Oh. But, anyway, the Rizzo

1 and the three garbage trucks -- but Mr. Sabuta was  
2 trying to explain that to you, I hope you all consider  
3 this 25 percent in dollars because he doing the best he  
4 can. And the Mayor is sick -- I mean, she'll be right  
5 back.

6 But anyway, I want to -- like my Councilman  
7 Mays just talking about just now, the -- I meant --  
8 anyway, listen to Mays because he know what he talking  
9 about about the City.

10 MS. BURGHER: Okay.

11 MR. MITCHELL: That was the lady that spoke  
12 out with you, Mr. Ferguson, about the garbage. We  
13 don't want another Mike MaGee in Flint to happen to my  
14 Councilman Mays about this garbage. Remember that I  
15 saw the preacher man all up in arms, a concerned  
16 pastor, with Mr. Jones in here. If you, Mr. Frederick,  
17 wouldn't have broke it up, that can come back to you.  
18 That's all I have to say.

19 THE CHAIRPERSON: Thank you. We have a  
20 motion to adjourn. Is there support?

21 MR. TOWNSEND: Support.

22 THE CHAIRPERSON: Without objection, we are  
23 adjourned.

24 (Meeting was concluded at 1:53 p.m.)

25 \* \* \* \*

## 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, to the best of my ability, at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of (30) pages, is a true and correct transcript of my said stenographic notes.

\_\_\_\_\_  
Date

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