

1 CITY OF FLINT -
2 RECEIVERSHIP TRANSITION ADVISORY BOARD MEETING -
3 WEDNESDAY, MAY 11, 2016 -
4 2:00 p.m. -
5
6 Meeting before the RTAB Board at 1101 S. Saginaw, -
7 Flint, Michigan, on Wednesday, July 15, 2015. -
8
9 BOARD MEMBERS PRESENT:
10
11 Frederick Headen - The Chairperson -
12 Michael Townsend
13 Michael Finney -
14 Joel Ferguson -
15
16 FROM THE CITY: -
17 Steven Branch, Chief of Staff
18 Inez Brown, City Clerk -
19 Karen Weaver, Mayor
20 Stacy Oakes, City Attorney
21
22 OTHERS PRESENT:
23 Kerry Nelson, Council President -
24 Scott Kincaid, Councilmember
25 Eric Mays, Councilmember -
26 Tim Johnson, Police Chief
27 Wantwaz Davis, Councilmember -
28 Monica Galloway, Councilmember -
29
30 PUBLIC COMMENT SPEAKERS: -
31
32 Jarret Haynes
33 Kate Fields -
34 A.C. Dumas
35 Arthur Woodson -
36 Davina Donahue
37 Quincy Murphy
38
39 REPORTED BY: Mona Storm, CSR# 4460 -

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1 Flint, Michigan-

2 Wednesday, May 11, 2016-

3 2:07 p.m. -

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

7 Item B, the approval of the agenda. I'll ask -
8 that the agenda be amended to include Resolution --
9 Resolution 138.1. -

10 Are there other additions to the agenda? -

11 MR. FINNEY: Chair, I move approval. -

12 MR. FERGUSON: So support. -

13 THE CHAIRPERSON: Without objection, the -
14 agenda is amended and approved. -

15 Item C is the approval of RTAB meeting -
16 minutes from April 13. They're Attachment Number 1. -

17 Are there any corrections or additions to -
18 those minutes? -

19 If not, I will entertain a motion that the -
20 minutes of April 13 be approved. -

21 MR. TOWNSEND: Motion to approve. -

22 MR. FINNEY: Second. -

23 THE CHAIRPERSON: Motion's been made and -
24 seconded. -

25 Those in favor, please say "aye". -

1 THE BOARD: Aye. -

2 THE CHAIRPERSON: Opposed? -

3 The minutes are approved. -

4 No Unfinished Business? -

5 New Business, Mayor. -

6 Madam Mayor? -

7 Mr. Branch? -

8 MR. BRANCH: Yes. Good afternoon. My name -
9 is Steven Branch. I'm Chief of Staff for the Mayor. I -
10 just wanted to come to you briefly and talk to you -
11 about some concerns that the Administration is having -
12 about the way the resolutions are being passed and sent -
13 through to the RTAB. -

14 The Mayor's concerned about the total -
15 disregard and disrespect for the office because -
16 amendments are being created outside of our City Hall -
17 by outside legal counsel and are being approved and -
18 sent in for RTAB approval. And this is something that -
19 we feel we cannot, you know, tolerate or stand more for -
20 because we need to work as a team. In order to work as -
21 a team, you need to communicate and bring issues forth. -

22 The Mayor should be presenting resolutions to -
23 the City Council so the City Council can get input and -
24 the Mayor can get input. A couple of the items we've -
25 been talking about are two items on the RTAB agenda -

1 today, one being the survivor spouse benefit package -
2 which was brought in to a committee as a whole, the -
3 Mayor had no input on it. We had no financial blessing -
4 on that, the City -- what we would do to the City -
5 financials going forward. So that is one of the items -
6 of concern. -

7 The other item of concern deals with the -
8 feeling that all it takes is five votes to get -
9 something through with no input from the Mayor, and -
10 that is something that we really need to address as we -
11 go forward. As a team, the Administration and City -
12 Council must work together. We are in a desperate -
13 situation here. We need to show to the outside world -
14 we are working together. We're asking folks to donate -
15 and give a lot of money to the City of Flint. And, as -
16 an outside person looking in, that would be very lucky, -
17 too, so that's the concern of the Mayor. -

18 Do you have any questions? -

19 THE CHAIRPERSON: With respect to your second -
20 item, five votes, could you elaborate upon that? -

21 MR. BRANCH: Well, City Council is made up -
22 of nine individuals and it only takes five votes to -
23 pass a resolution with the City Council. And -
24 resolutions that had not gone to the Mayor and had her -
25 blessing, that resolution could be passed. And, again, -

1 some of those resolutions are getting to the RTAB and -
2 they don't have the Mayor's signature on them. And, if -
3 you look in your packages that were sent to you, you'll -
4 see that there are some resolutions there that have no -
5 signature of the Mayor. -

6 THE CHAIRPERSON: I would assume that the -
7 majority by which Council activity would have to be -
8 approved would be a function either of -- if not the -
9 Charter, then Roberts Rules of Order and Procedures and -
10 followed by Council. So I'm unclear as to what the -
11 role of the RTAB would play in internal operation of -
12 the Council by in terms of a vote by which something -
13 passes. -

14 MR. BRANCH: Well, everything that passes has -
15 to get approved by the RTAB; is that correct? -

16 THE CHAIRPERSON: Yes. -

17 MR. BRANCH: So there's a concern that the -
18 Mayor has no input and it's approved by the RTAB, the -
19 Mayor's being bypassed. -

20 THE CHAIRPERSON: No. I'm sorry. My -
21 question had to do with whether or not the RTAB has any -
22 concern over whether a resolution passes, five to four -
23 or six to three. -

24 MR. BRANCH: No, I don't think the TAB has -
25 that. I think that, you know, as we're looking to -

1 maybe move away from the RTAB, we need to recognize -
2 that the former Governor and the City is not based off -
3 of City Council alone, it should be a working -
4 relationship with City Council and the Administration. -

5 THE CHAIRPERSON: And then the final question -
6 I have on this point -- which I'll also propose to the -
7 Council President. He is going to proceed at the mic. -
8 Is there a standard internal procedure that indicates -
9 the approval pass for a resolution? -

10 Mr. Finney asked a similar question of the -
11 Council President last month with regards to -
12 resolutions that were in front of us, as to whether or -
13 not, if a signature was missing, whether that was a -
14 procedural issue or if it somehow expressed -
15 disapproval. So is there a policy somewhere that -
16 indicates the pathway a resolution has to proceed -
17 through to be approved before it comes to us? -

18 MR. BRANCH: I'm going to ask the City Clerk -
19 to come on up and address that. -

20 Ms. Inez Brown. -

21 THE CHAIRPERSON: Thank you. -

22 MS. BROWN: I think it's important to note -
23 that Council, under the Charter, has the authorization -
24 to prepare resolutions as well. Resolutions can come -
25 from the Council, which are resolutions from the -

1 Council, or by the Council or by the Clerk. And -
2 resolutions will come from the Mayor. -

3 So any resolution by the Council or by the -
4 Clerk would come in the normal -- normal form, in terms -
5 of appearing on the agenda. It does not procedurally -
6 have to go to the Mayor's office. -

7 From a procedural standpoint, I should -
8 indicate that normally -- our normal process is that, -
9 when a resolution is developed internally, we've been -
10 sending it to the Legal Department for them to approve -
11 as to form. As to form, because that's what the -
12 Charter indicates, as to form, not as to content. -

13 Now, what's happened recently is that a -
14 fluctuation over the last couple months, the City -
15 Council has made numerous motions from the floor to do -
16 certain things. And, as a result of making a motion -
17 from the floor, that then became a resolution. So, -
18 therefore, the resolution from the floor that would -
19 have occurred on let's say a Monday night then would -
20 have been developed by us the following day from the -
21 form standpoint, and we normally try to get it into the -
22 Legal Department. -

23 Once that occurs on the floor, what happened -
24 on the floor happened, so that makes it legal, a vote -
25 of five people or -- five or whatever case it would -

1 have been. And I think that the Legal Department is -
2 concerned -- and, you know, I disagree with them; they -
3 shouldn't be -- about a number of resolutions that -
4 we've had that did come from the floor through a motion -
5 that they did not approve it. Okay? But it's an -
6 active effective approval and we have not had the -
7 opportunity to get some of those approvals. -

8 Now, from a historical standpoint, if you go -
9 back to the City records a hundred years ago or 50 -
10 years ago or 10 years ago or 5 years ago, this is -
11 something that has typically happened, whereby if a -
12 motion was made on the floor, we turned it into a -
13 resolution because it was a motion for action, that it -
14 did not go to the Law Department but it did become a -
15 legal document. Right? And this is even before my -
16 arrival here. -

17 But, again, I think it's important to know -
18 that Council has the authority, like the Mayor does, to -
19 develop a resolution. Now, I can count on my hand, one -
20 hand, the number of resolutions that the Council has -
21 done over the last six months or over the last month; -
22 they are very few and far between. They are very few -
23 and far between. And I have offered, just so you all -
24 will know, to sit down with each new member of the -
25 Mayor's staff to go through processes, procedures, -

1 ordinances, regulations and so forth, just so that -
2 everybody's on the same page. -

3 Because nobody's trying to pick a fight. We -
4 all want to see things done in Flint and so forth. But -
5 what we're doing is following the procedure that has -
6 been normally followed if a motion's made on the floor, -
7 to do something, to treat it as a resolution. -

8 THE CHAIRPERSON: Thank you. -

9 Mr. Ferguson. -

10 MR. FERGUSON: I've got to be heard. Can you -
11 hear? -

12 THE CHAIRPERSON: You got to push this. -

13 MR. FERGUSON: Oh, push the mic. -

14 THE CHAIRPERSON: Push down on the button. -

15 MR. FERGUSON: Every governmental body I've -
16 been aware of, from the Lansing City Council to the -
17 State Governor to the U.S. Congress, that where the -
18 legislative body passes something, it doesn't take -
19 immediate effect, that there's like a week before it -
20 takes immediate effect. And, if it does take effect, -
21 that the President, the Mayor of Lansing, the Governor -
22 can veto it and then it goes back to the Council. And -
23 they, you know, have to override it with certain -
24 two-thirds majority or whatever. -

25 Now, if you're saying here in Flint that, if -

1 the resolution is passed, that it just happens and -
2 the -- the Mayor, whoever the Mayor is, really has no -
3 role --

4 MS. BROWN: Well, her role would be one of -
5 veto like Washington or any other place. -

6 MR. FERGUSON: Well, the reason I'm asking -
7 the question --

8 MS. BROWN: Uh-huh, sure. -

9 MR. FERGUSON: Is there a period of time, if -
10 something passes or -- this Monday, that it -- if the -
11 Mayor vetoes between that time and the next Council -
12 meeting, it doesn't take effect until the Mayor has X -
13 number of times to veto it? -

14 MS. BROWN: I believe the Charter does -
15 indicate the number of days that she would have to -
16 veto --

17 MR. FERGUSON: Okay. -

18 MS. BROWN: -- whatever action the Council -
19 would have been taken. -

20 MR. FERGUSON: Okay. Yeah. -

21 MS. BROWN: In that regard, what we attempt -
22 to do is, the very next day, after a Council meeting -
23 and so forth, we're trying to get everything to you all -
24 as well as to the Administration, in terms of whatever -
25 actions Council may have taken. -

1 MR. FERGUSON: I'm asking the question -
2 because the issue the Chief of Staff raised, if --
3 would it be unnecessary if her veto period hasn't -
4 passed? In other words, if something's passed and then -
5 she still has time to veto it, then -- but now, if the -
6 veto time has passed, then -- then what he's saying, -
7 you know -- you know, has effect. Now, has a veto -
8 period -- how long does the Mayor have to veto -
9 something? -

10 MS. BROWN: It depends on which resolution -
11 you're referring to. If I remember correctly, under -
12 the Charter, I can't remember the number. I think it's -
13 168 hours or something. -

14 MR. FERGUSON: Well, what's in front of us, -
15 has the veto period passed? -

16 MS. BROWN: For which one; which resolution? -

17 MR. FERGUSON: Which resolution? -

18 THE CHAIRPERSON: Well, the one that -
19 Mr. Branch made reference to, I believe, regarding the -
20 health care benefits was Resolution 136. So we can use -
21 that as an example. -

22 MS. BROWN: Okay. That would have been --
23 that would have passed what, April the 25th? -

24 THE CHAIRPERSON: April 25th, I believe. -

25 MS. BROWN: Yeah, I would have to check the -

1 Charter on that. -

2 MR. FERGUSON: Okay. And then how many days -
3 does the Mayor have to veto something? -

4 MS. BROWN: I believe the Charter indicates X -
5 number of hours. I would have to go back and check the -
6 Charter on that. But, again, we -- our turnaround time -
7 is timely enough that, once they get it to their -
8 office, it's up to them, they do whatever they want to -
9 do with it in terms of a veto. -

10 MR. FERGUSON: Well, I'm only asking the -
11 question that --

12 MS. BROWN: Uh-huh. -

13 MR. FERGUSON: -- so, if we pass something -
14 that's inside the Mayor's veto period --

15 MS. BROWN: Uh-huh. -

16 MR. FERGUSON: -- then it really didn't -
17 happen? -

18 MS. BROWN: Pardon? -

19 MR. FERGUSON: Well, it really doesn't -
20 happen. In other words, we passed something that's -
21 inside the period of time that the Mayor has to veto -
22 it --

23 MS. BROWN: Uh-huh. -

24 MR. FERGUSON: -- then we really can't -- I'm -
25 just making certain assumptions of, whatever we do, -

1 that we can't do it because -- because then it didn't -
2 happen because then it can always be raised, the -
3 question that this happened inside of the time that the -
4 Mayor had to veto something? I'm asking that question. -

5 MS. BROWN: No. That's not what the Charter -
6 indicates. -

7 MR. FERGUSON: How many days is it? -

8 MS. BROWN: I think --
9 Candis? -

10 I don't have the Charter in front of me. -

11 MR. FERGUSON: Okay. -

12 MS. BROWN: But I think it's X number -- I do -
13 remember clearly 168 hours from the time of passage. -

14 MR. FERGUSON: Hmm? -

15 MS. BROWN: 168 hours from the time of -
16 passage. Once she vetoes it, okay, then the Council -
17 has an opportunity, then, to override the veto, like -
18 they do in Washington. -

19 MR. FERGUSON: Okay. -

20 MS. BROWN: So I don't know if 168 has passed -
21 from April the 25th or not. -

22 UNIDENTIFIED MALE: Seven days. -

23 MR. FERGUSON: Seven days. -

24 THE CHAIRPERSON: So, to illustrate -

25 Mr. Ferguson's question that I believe he was making, -

1 is that, if there is a resolution presently before us -
2 that has not yet been in existence for seven days and -
3 we approve the Council's action, the Mayor still has -
4 the opportunity, within seven days, to veto it. -

5 MS. BROWN: Prior to your approval? -

6 THE CHAIRPERSON: After we approve it, she -
7 would still have -- within the seven-day period, she -
8 would still have an opportunity to veto it if she -
9 wishes. -

10 MS. BROWN: That would be after Council would -
11 have approved it. Of course, the Charter can approve -
12 the RTAB. So my assumption would be that she would -
13 have to veto it 168 hours after the Council approved -
14 it. -

15 THE CHAIRPERSON: What if it came to us -
16 first? -

17 MS. BROWN: Are there resolutions that come -
18 to you all first? -

19 THE CHAIRPERSON: For example, we received a -
20 resolution yesterday --

21 MS. BROWN: Uh-huh. -

22 THE CHAIRPERSON: -- from the Council on -
23 Monday. So, if we approved that resolution today, does -
24 the Mayor still have the opportunity, if she wishes, to -
25 veto it? -

1 MS. BROWN: She still -- it's still within -
2 the 168-hour timeframe. -

3 THE CHAIRPERSON: Okay. Thank you. -

4 MS. BROWN: Okay. -

5 THE CHAIRPERSON: Mr. Finney, do you have --

6 MR. FINNEY: No. -

7 MR. TOWNSEND: I have a question. -

8 MS. BROWN: Sure. -

9 THE CHAIRPERSON: Mr. Townsend. -

10 MR. TOWNSEND: In reference to the Charter, I -
11 know that there are other signatures besides the Mayor -
12 on top, there are Legal, the Finance. Are -- those -
13 resolutions that are created in a Council meeting, do -
14 they then turn around and seek those designations or -
15 those signatures? -

16 MS. BROWN: If there is a financial aspect -
17 involved, no. And most of the resolutions that I think -
18 that are in your packages now would not have to be. -

19 To do with money, necessarily, that, Council -
20 would have done except the one that he's referring to -
21 on the healthcare situation. -

22 THE CHAIRPERSON: Mr. Finney? -

23 MR. FINNEY: Actually, I have a question for -
24 the Council President if he's here --

25 MS. BROWN: Thank you. -

1 MR. FINNEY: -- and for the Mayor. It's a -
2 simple question. I guess I'm curious what steps you're -
3 taking to bridge the communications and challenges that -
4 are being described here. So I would just ask both -
5 Administration and Council to speak to that.-

6 MAYOR WEAVER: Thank you. Actually, we have -
7 set up -- I think it's twice a month that we have been -
8 trying to have meetings. That has not worked out every -
9 single time but we did -- I reached out and asked that -
10 we could have meetings every other week.-

11 Now, you asked me when is the last time we -
12 had a meeting. I would say probably about a month ago.-
13 But that's something that I've asked for and I would -
14 like that to continue.-

15 THE CHAIRPERSON: Thank you.-

16 MR. FINNEY: So I suggest, as a follow-up --
17 so is that adequate?-

18 MAYOR WEAVER: Maybe if they occurred -
19 regularly. Since they have not been regular, that's my -
20 concern.-

21 THE CHAIRPERSON: I think it would be a -
22 reference of the RTAB to only deal with resolutions for -
23 proposed ordinance amendments and so forth that have -
24 fully been vetted internally to the City first.-

25 COUNCILMAN MAYS: Right.-

1 THE CHAIRPERSON: We're not in the position -
2 of describing what that process is. We're not in the -
3 business of deciding whether or not something has to -
4 pass by five votes or more, nor what the approval -
5 pathway is, only that whatever approval pathway exists -
6 ought to be followed. -

7 Now, it may require Treasury Staff talking to -
8 City Staff to figure out how we coordinate that, given -
9 the fact that Council meets, I believe, twice a month, -
10 we meet once a month. So we typically, at a given -
11 meeting, will dispose of issues that have been -
12 addressed by Council the prior two meetings. -

13 We make exceptions. As I mentioned, we did -
14 have a resolution was adopted just two evenings ago by -
15 the Council. But it seems to be, I would think, -
16 premature for us to be passing judgment on resolutions -
17 that have not sort of fully followed whatever path is -
18 necessary within the City, including an opportunity for -
19 the Mayor to either approve or to veto resolutions. -

20 Mr. Finney? -

21 MR. FINNEY: Yeah. Mr. Chair, I would just -
22 ask for a point of clarification. So, at each meeting -
23 that I've attended, I've made it a point where, looking -
24 at documents, there wasn't both signatures with respect -
25 to substance and form of asking if, in fact, the -

1 Administration or the Council had, in fact, bought off -
2 on it. And that's a process that I intend to continue -
3 because for precisely this reason. I want to make sure -
4 that everything that comes before us has, in fact, been -
5 fully vetted. And it's okay if there's differences of -
6 opinion because this is a forum for those differences -
7 of opinion to be shared. And we then have, obviously, -
8 an obligation to act. But, as a minimum, I want to -
9 make sure that, in fact, both parties have had a chance -
10 to weigh in. -

11 And I think it's been consistently "yes", so -
12 far. So that's the good news, is that everything -
13 that's come before us, when the question has been -
14 asked, the answer has been "yes". So, unless we have -
15 something different today, thank you. -

16 THE CHAIRPERSON: Yes, Madam Clerk? -

17 MS. BROWN: I think that it's appropriate -
18 that I attempt to clarify one of the -- the resolution -
19 that you mentioned that was passed the other night. -
20 And, in that regard, that particular resolution had -
21 been cleared earlier by the previous City Attorney. -
22 What happened is, because we had to change a date, I -
23 think the original date was on the 25th of April, we -
24 had to change it to May the 9th. We attempted to reach -
25 the department that put the resolution together to get -

1 them to do another resolution. -

2 MR. FINNEY: Which one are you talking about? -

3 MS. BROWN: The one that -- with the Capitol -
4 Theatre, I believe. Okay? So, because it had already -
5 been signed off as to form by the previous City --
6 acting City Attorney and because there was a timeframe -
7 involved and we could not contact the department to get -
8 everything done in a timely fashion for it to be on the -
9 agenda, we then proceeded to put it to forum ourselves -
10 so that it would appear, you know, on the Council -
11 agenda. Okay? -

12 Now, in that regard, there may have been one -
13 typographical error on there made, "amend" instead of -
14 "made". And, if you go through a lot of an agendas -
15 that we've had and a lot of resolutions that we've had, -
16 even before my arrival, there are typographical errors. -
17 But the meaning, quite frankly, of the document did not -
18 change. -

19 But we did attempt to make contact. We were -
20 unable to get a call back in a timely fashion so we had -
21 to proceed with what we did because it had been delayed -
22 and so forth. Now, we could have whited out the -
23 previous date but then it would have looked as though -
24 we have doctored a document. Okay? -

25 Thank you. -

1 THE CHAIRPERSON: Thank you. -

2 Madam Mayor? -

3 MAYOR WEAVER: I know our attorney has -
4 something she wants to talk about where she has some -
5 concern and I do want to say I'm not here to dispute -
6 the Capitol Theatre resolution. In fact, I want to say -
7 that I do appreciate that. I had a conversation with -
8 Mr. Herman last night and this morning, as we talked -
9 about that issue. And so I was completely on board -
10 with that one. So I wanted to let you know. -

11 THE CHAIRPERSON: Okay. Thank you. -

12 MS. OAKES: And I'm just addressing, from the -
13 legal standpoint, since it has been stated that Legal -
14 has had an issue with this, when resolutions are -
15 introduced from a floor or from a committee as a whole -
16 and Legal has not seen those resolutions, we cannot -
17 adequately speak to the content or what the resolution -
18 is attempting to do. -

19 As the Clerk has indicated, the one for the -
20 Capitol Theatre, Legal, at least since I've been in the -
21 position, since the 28th of March, had not seen that -
22 particular resolution. And the night, this past -
23 Monday, when it was presented, there was a -
24 typographical error that was brought to our attention -
25 to correct and it bared my signature block and I had -

1 not seen that resolution either. -

2 So, ultimately, it's not so much the -
3 substance, the Capitol Theatre resolution, as the Mayor -
4 has just indicated, it's the process that I believe -
5 we're trying to get addressed so that we will, in fact, -
6 know what's the contents of the resolution. -

7 And, as we speak to process, I received an -
8 e-mail today, it was directed to the City Administrator -
9 but it also requested several department heads produce -
10 several documents. In my case in particular, it -
11 requested legal documents from Legal on an employee --
12 or an individual's employment status. That would be an -
13 HR concern. -

14 But, more so than that, it has been requested -
15 from Legal that we use the process of the Clerk's -
16 office for a referral to Legal so we'll know exactly -
17 what is being requested. When we receive requests from -
18 individual Council members, from individuals within the -
19 Administration, without having a referral process, then -
20 we're put in a position to have to prioritize what -
21 we'll be responding to. And, as you know, with the -
22 water crisis, we have plenty of legal issues to respond -
23 to. -

24 So I would just respectfully request that, if -
25 this body is considering to address the process, -

1 whether it be for resolutions or for referrals, as it -
2 relates to the Mayor and City Council, the Legal -
3 Department will respectfully request that the referral -
4 process through the Clerk's office is used to -
5 communicate with the Legal Department and not random -
6 e-mails with requests. Thank you. -

7 THE CHAIRPERSON: Thank you. -

8 MR. FERGUSON: The real question that is -
9 before us -- they have a number of issues. But what -
10 the Mayor said -- just said, though, the resolution was -
11 passed Monday, that she and the Council President are -
12 in agreement on, so basically that means the veto -
13 period --

14 MR. FINNEY: You're talking about --

15 MR. FERGUSON: -- is an --

16 MR. FINNEY: -- 160138 --

17 MR. FERGUSON: -- academic issue. Huh? -

18 MR. FINNEY: You're talking about 160138.1? -

19 MR. FERGUSON: Huh? -

20 MR. FINNEY: The resolution we're talking -
21 about, so that we are clear, it's 160138.1? -

22 THE CHAIRPERSON: That's correct, yes. -

23 MR. FERGUSON: That's the number? -

24 THE CHAIRPERSON: Yes. -

25 MR. FERGUSON: Okay. But it is the theatre, -

1 though? -

2 THE CHAIRPERSON: Yes. -

3 MR. FERGUSON: Okay. Well, they came --
4 they're to an agreement before that, which then makes -
5 the veto issue not an issue before this body today. -
6 Okay? -

7 So the only question that I have, since -
8 that's the major issue we have in front of us and the -
9 other issues, that, if the veto period has already -
10 passed, then it can be forced. What I don't want us to -
11 ever do, have before us, is any resolution that's -
12 inside the veto period to where the Mayor's office has -
13 not had the opportunity, you know, to -- to comment on -
14 it or to even veto it. -

15 You know, so I don't want to pass something -
16 that's inside that time unless the Mayor's office has -
17 signaled that they're fine with it. Because then, if -
18 we even do that, then it wouldn't mean anything anyway, -
19 because then it puts us passing something that she -
20 still has the right to veto, as opposed to it actually -
21 being in effect. -

22 And so, on this one here, we can do that -
23 because she signed off on that. But -- so, is there -
24 any other issue you have? -

25 There's nothing else like that today, is -

1 there? -

2 THE CHAIRPERSON: Not with respect to that -
3 issue. -

4 MR. FERGUSON: Oh. -

5 THE CHAIRPERSON: Because the veto period -
6 would have passed on the other sets of resolutions. So -
7 it's a -- it's a prospective problem, if at all. I do -
8 want to clarify, in regards to the closing comments by -
9 the Chief Legal Officer, the RTAB is not going to -
10 concern itself with the process. The process is to be -
11 worked out by elected administrative officials for the -
12 City and not -- and not the RTAB. We do expect -
13 whatever the process is to be followed. But we have no -
14 intention of dictating what the process should be. -

15 We are still on III A. I want to offer the -
16 Council President an opportunity, as a regular part of -
17 the agenda, to offer any comments you might have. -

18 MR. NELSON: Good afternoon. Certainly it is -
19 our desire to work with Administration. It's our -
20 desire to do the business for the people of the City. -
21 And, certainly, if we don't agree, there is a process -
22 in place. And we respect the Mayor to either veto it -
23 or accept it. We would not go straight to, you know, -
24 delay any resolution here and make sure they get them -
25 on a timely basis to her. -

1 My only concern is that it's a two-way -
2 street. And, saying that, I am working. And I am -
3 delighted to work with the Mayor. And I told her, when -
4 she was elected, "I'm not here to fight you." That -
5 does not mean that you will get everything you want but -
6 I'm not here to fight you. There's too much to be done -
7 in this City to be fighting." -

8 What I am saying, as a legislative body, we -
9 have a responsibility. The Executive Branch has one -
10 and we have one. I respect the Executive Branch and I -
11 want that same treatment for the legislative body. I -
12 -- I'm not here to pick any fights today. I'm simply -
13 saying that I am a team player but I want my team to be -
14 respected. And we will do the other -- respect the -
15 other players of the team. I say that in Council -
16 meetings every time we have one. It's about respect. -
17 Just because you don't see it your way, you don't have -
18 the floor, that doesn't give you the right to dominate -
19 or take your turn out. If somebody else has the floor, -
20 you respect them. And, when they finish, it will be -
21 your turn. On this matter, that's all I have to say. -
22 Thank you. -

23 THE CHAIRPERSON: Thank you. -

24 The next item of business is the approval of -
25 Resolutions and Ordinances. We'll start with City -

1 Council meeting April 4th, Resolution, I believe, 93 -
2 (sic) which was the acceptance of the 2016/'17 proposed -
3 budget. Is there a motion that that be approved? -
4 MR. FERGUSON: So move. -
5 THE CHAIRPERSON: Is there support? -
6 MR. TOWNSEND: Support. -
7 THE CHAIRPERSON: Is there any discussion? -
8 If not, those in favor please say "aye". -
9 THE BOARD: Aye. -
10 THE CHAIRPERSON: Opposed? -
11 Motion is adopted. -
12 Next would be Resolutions from the Regular -
13 City Council meeting of April 11th. They are -
14 Resolutions 55, 103 and 105. They're Attachment Number -
15 3. Is there a motion that those resolutions be -
16 approved? -
17 MR. FERGUSON: So move. -
18 THE CHAIRPERSON: Is there support? -
19 MR. TOWNSEND: Support. -
20 THE CHAIRPERSON: A motion is made and -
21 seconded. Any discussion? -
22 If not, those in favor please say "aye". -
23 THE BOARD: Aye. -
24 MR. FINNEY: Opposed? -
25 Motion is adopted. -

1 We have, also, Resolution 106, which is a -
2 proposed change to the spending approval limit. I will -
3 ask the Council President to come up and address this -
4 issue. -

5 As I understand it, under the current -
6 purchasing ordinance, the approval architecture now is -
7 as follows: If it's under \$20,000 it's approved by the -
8 Purchasing Director; if it's over 20,000, the -
9 Purchasing Director and the Finance Director; if it's -
10 over \$30,000, it's the Purchasing and Finance -
11 Director's as well as the City Administrator; if it's -
12 over \$50,000, it's those individuals plus the Mayor's -
13 approval; and if it's over \$75,000, it's all the -
14 previous individuals, Purchasing, Finance, City -
15 Administrator, Mayor and then the City Council is -
16 added. -

17 If I understand the proposed change by the -
18 City Council, it would be to have the Council be -
19 involved at anything over \$25,000 and Council President -
20 and Vice President if the amount is over 10,000 to -
21 \$25,000. -

22 Have I stated that correctly, Mr. President? -

23 MR. NELSON: You have. -

24 This is a resolution before Order Number 20 -
25 was in place or Order Number 3. Any purchasing over -

1 2,000 had to come by the City Council. We're not -
2 saying that we want to go back there. What we're -
3 simply saying is, along with the Mayor and the City -
4 Administrator and if it's 10- to 25,000 myself and my -
5 Vice President must sign it. Anything over 25,000 in -
6 one set would go to the whole Council. If we're going -
7 to go back to close as we can to home rule, we're -
8 trying to get rid of -- of the way the Emergency -
9 Manager had left things on record. -

10 This Governor has expressed that he is -
11 willing to take us back to as close as we can to home -
12 rule and the Mayor has said that. And I want to give -
13 you a letter from the Governor, and you can pass that, -
14 stating that he wants this Council to go back to home -
15 rule as close as possible. -

16 And, while I'm here, I would like to say that
17 I think that's a partnership. We're not excluding
18 anybody, we're taking all of us from 10- to 25,000, and
19 anything over that, the whole Council must be involved.
20 I think it's time in this ~~Council~~ Council and I -- and some of
21 my colleagues, most of them agree that we need to have
22 our powers to go back closest to home rule as we can.
23 We understand the RTAB would be in place and we respect
24 that.

25 THE CHAIRPERSON: This particular item is an -

1 ordinance which Emergency Manager Ambrose rewrote --

2 MR. NELSON: Uh-huh. -

3 THE CHAIRPERSON: -- on, it appears here, -
4 May 1st of 2015 -- actually, that's the date that it -
5 took effect. I guess it was adopted on April the 10th -
6 of 2015. Is there any reason that the Council would -
7 not have put forth a proposed ordinance amendment as -
8 opposed to a resolution? -

9 MR. NELSON: From my understanding and having -
10 the conversation, because Mr. Ambrose wrote it as one -
11 of his last orders, that this is the process that we -
12 had to take. -

13 THE CHAIRPERSON: Okay. I believe -- I think
14 we've talked about this internally with Treasury-- that the most
15 appropriate vehicle would be a proposed amendment to
16 the ordinance. You're correct that Mr. Ambrose did
17 adopt this. He did not do so, however, by EM order.
18 So we're not aware of any impediment that --

19 MR. NELSON: Okay. -

20 THE CHAIRPERSON: -- would prohibit the City
21 Council from proposing to us as a change in the
22 ordinance. So, if you're agreeable to that, we would
23 defer action on this until the Council has the
24 opportunity to go back and present this to us in the
25 most appropriate ~~forum~~ form.

1 MR. NELSON: That's fine. That's good.-

2 THE CHAIRPERSON: So, if there is no -
3 objection, we'll table this.-

4 MR. FINNEY: This is Resolution 106, correct?-

5 THE CHAIRPERSON: This is Resolution -- yes.-
6 I'm sorry. This is -- this is Resolution 106 from -
7 April 11th.-

8 Thank you.-

9 MR. NELSON: Thank you.-

10 THE CHAIRPERSON: That takes us to Item 2b, -
11 the Council motion to establish an advisory taskforce.-
12 It was not clear to us what that was. It was also not -
13 clear to us how it was done since it's not a -
14 resolution, it's a Council motion.-

15 So could someone speak to that particular -
16 item so we know what we're dealing with?-

17 MR. NELSON: The taskforce is made up of one -
18 person from each ward and four additional persons.-
19 This committee would be a taskforce of the Council.-
20 They would concentrate on the water crisis, the effect -
21 it has had through many avenues in our City, and they -
22 will come back and make a report and recommendations to -
23 the Council.-

24 THE CHAIRPERSON: So, I gather, since there's -
25 no resolution, there's no action for -- presented to -

1 the RTAB today? -

2 MR. NELSON: I thought it was a resolution. -

3 I know -- what number is it? -

4 MS. BROWN: It's 152. -

5 MR. NELSON: Here. -

6 THE CHAIRPERSON: I believe it appears in the -

7 minutes in the form of a motion. So we received, I do -

8 not believe, a resolution. -

9 MR. NELSON: Okay. -

10 THE CHAIRPERSON: Since it's not on our -

11 agenda --

12 MR. NELSON: Okay. Okay. -

13 THE CHAIRPERSON: -- we're going to defer -

14 that until the next meeting. -

15 MR. NELSON: Okay. -

16 THE CHAIRPERSON: In the interest of one of -

17 our members who has to depart shortly, I'm going to ask -

18 that we next take up Resolution 160138.1, which is the -

19 obsolete property rehabilitation application, the -

20 transfer of that. That's the before-mentioned Capitol -

21 Theatre obsolete OPRA exemption. Is there a motion -

22 that that particular resolution be approved? -

23 MR. FERGUSON: So move. -

24 THE CHAIRPERSON: Is there support? -

25 MR. FINNEY: Support. And, Mr. Chairman, I -

1 would like to --

2 THE CHAIRPERSON: Yes? -

3 MR. FINNEY: -- just ask that the motion be -
4 amended to reflect that this item has come before us, -
5 with support from the Mayor and from the City Council, -
6 recognizing that is within the time period that -
7 otherwise could have been vetoed by the Mayor. -

8 MR. FERGUSON: I support that amendment. -

9 THE CHAIRPERSON: Is there further discussion -
10 upon the motion as amended? -

11 Hearing none, those in favor of the motion -
12 please say "aye". -

13 THE ~~JURORS~~ Board: Aye.

14 THE CHAIRPERSON: Opposed? -

15 The motion is adopted. -

16 MR. FERGUSON: I have to be in Columbus at -
17 4:00 so thank you. -

18 THE CHAIRPERSON: Drive safely. -

19 (Board Member Ferguson left the meeting.) -

20 THE CHAIRPERSON: We will go next to the -
21 Resolutions from the Regular City Council meeting of -
22 April 25th. Those are Resolutions 46.2, 46.3, 99, 101, -
23 102, 104, 108, 132 through 135 and 138. -

24 Just for my own edification, can someone from -
25 the Council, Council President, explain to me the -

1 decimal point methodology for some of your resolutions? -

2 MS. BROWN: The decimal point could either -
3 mean it's connected to the original resolution without -
4 the decimal point or may have been an amendment to that -
5 previous resolution. -

6 THE CHAIRPERSON: Thank you. -

7 MS. BROWN: Uh-huh. -

8 THE CHAIRPERSON: Is there a motion that the -
9 aforementioned resolutions be approved? -

10 MR. FINNEY: I move. -

11 MR. TOWNSEND: Support. -

12 THE CHAIRPERSON: A motion's been made and -
13 seconded. Is there discussion? -

14 Hearing none, those in favor of the motion -
15 please say "aye". -

16 THE ~~JURORS~~ Board: Aye.

17 THE CHAIRPERSON: Opposed? -

18 The motion is adopted. -

19 We have next Resolution 136. This has to do -
20 with the healthcare benefits of surviving spouses of -
21 firefighters or police officers. One of the questions -
22 I believe we had was with regards to the financial -
23 impact. And I'm going to ask Council President or -
24 Councilmember Kincaid to speak to that issue so we can -
25 have it on the record, please. -

1 MR. KINCAID: Thank you, Mr. Chairman and the -
2 RTAB. This is -- this resolution was presented by me. -
3 It was an issue that I had back when the Emergency -
4 Manager instituted the policy for retirees to pay for -
5 their healthcare in the City of Flint. And, when they -
6 did that, they included spouses and dependents of -
7 police officers and firefighters that have died in the -
8 line of duty. -

9 And I've had numerous conversations with the -
10 Emergency Manager, Ms. Henderson, Jerry Ambrose when he -
11 was the Finance Director prior to becoming an emergency -
12 manager. And then we ended up going through that -
13 process and there were some delays in that process -
14 because the Emergency Manager was looking at some -
15 contracts and wanted to implement some new contracts on -
16 police officers and firefighters. So at first I kind -
17 of took a back seat to that. -

18 And, during the process, like October, -
19 November, December, I had a lot of conversations with -
20 Ms. Henderson and Ms. Lundquist. We wanted to vet this -
21 process to find out what the cost of this was going to -
22 be for the City of Flint both short-term and long-term. -

23 And I felt that it was very important that -
24 the City change that policy so that spouses and -
25 dependents of police officers or firefighters that have -

1 died in the line of duty would not have to be -
2 responsible to pay for their healthcare. If their -
3 spouses were working, they wouldn't be in that -
4 situation. And, by having their spouses be deceased, -
5 that also reduced their pensions. -

6 So I introduced the resolution. We vetted -
7 that resolution. There is one eligible family that's -
8 eligible for the benefits of this resolution. And, -
9 hopefully, in the future, we wouldn't have anyone else -
10 be a beneficiary of a change in this policy and that -
11 the cost to the City for implementing this policy -
12 change would be 25 -- right around \$2,500. -

13 And there is only one, like I said, eligible -
14 dependent that is now eligible for this change in the -
15 policy if the RTAB were to approve this resolution. -
16 And, if you have any questions, I'd be more than happy -
17 to try to answer them for you. -

18 MR. TOWNSEND: Council Member, you said -
19 \$2,500. Is that monthly, annually? -

20 MR. KINCAID: That's annually. -

21 MR. TOWNSEND: Okay. -

22 MR. KINCAID: That's an annual cost of -
23 \$2,500. -

24 And the -- it's one police officer's wife -
25 that is eligible that died in the line of duty --

1 THE CHAIRPERSON: Thank you. -

2 MR. KINCAID: -- that is eligible. -

3 THE CHAIRPERSON: Thank you, Councilman. -

4 MR. KINCAID: Any other questions? -

5 Thank you. -

6 MR. FINNEY: I do have one other question. -

7 So, in this case, are there any eligible dependents -
8 beyond the wife and children? -

9 MR. KINCAID: I'm sorry? -

10 MR. FINNEY: Are there any other eligible -
11 dependents besides the spouse? -

12 MR. KINCAID: Not -- not at this time, no. -
13 No, the dependents have attained the age where they -
14 would no longer be eligible, is my understanding. -
15 Okay? -

16 Thank you. -

17 THE CHAIRPERSON: Is there a motion to -
18 approve Resolution 136? -

19 MR. TOWNSEND: I'd like to hear from -
20 Administration in reference to this, please. -

21 MR. BRANCH: On behalf of the Administration, -
22 I just want to first say that we are not opposed to -
23 this but we still need to look at the total financial -
24 impact. I mean, one surviving spouse today could be -
25 ten tomorrow. So \$2,500 could turn into 25,000 or -

1 \$250,000. We look at the total impact. And, again, -
2 Finance would not buy off on this so I think we need -
3 time to look at this to really ascertain what is the -
4 exposure that we're putting the City into. -

5 THE CHAIRPERSON: I'm just curious to hear -
6 from the Finance Director. -

7 CHIEF JOHNSON: If I may, I would like a -
8 chance to review this because I haven't reviewed this -
9 either. My guess is it was put in place before I got -
10 there. So, if I can get a chance to review what was -
11 actually requested, then I can give my opinion on that. -
12 So, if that makes sense, thank you. -

13 THE CHAIRPERSON: Thank you, Chief. -

14 MR. FINNEY: Just to make sure we have all -
15 the facts right. So I'm looking to the Finance -
16 Director so we have some idea what the cost would be -
17 for this. You know, 2,500 sounds low but I'm just -
18 curious what you've looked at to come up with the -
19 number, the cost? -

20 MS. LUNDQUIST: I think, in response to that -
21 inquiry, the current cost to the City is only the -
22 monthly premium. So, prior to any change that would be -
23 made absorbing, then, that monthly premium, the spouse -
24 and eligible dependents is responsible for a monthly -
25 premium consistent with our current retiree healthcare -

1 coverage. So the additional cost would only be that -
2 monthly premium that that spouse or their eligible -
3 dependents is responsible for. -

4 For instance, out-of-pocket, the City itself, -
5 in short, is already absorbing the other costs beyond -
6 that monthly premium. -

7 THE CHAIRPERSON: Gentlemen? -

8 MR. FINNEY: Mr. Chair, my preference would -
9 be to table this item and to defer it back to the -
10 Council and the Administration, since the -
11 Administration is asking for an opportunity to review, -
12 and just bring it back at our next meeting for -
13 consideration. -

14 You know, there is a -- a financial -
15 implication and I would like to have just a concurrent -
16 understanding from the Administration and from the -
17 Council of this item. -

18 THE CHAIRPERSON: A motion is made to table. -
19 Is there support? -

20 MR. TOWNSEND: Support. -

21 THE CHAIRPERSON: Without objection, that -
22 item is deferred until our next meeting. -

23 The next item is proposed change to Emergency -
24 Manager Order Number 3 of 2015. -

25 Council President? -

1 MR. NELSON: Yes. The letter that I gave you -
2 is to move that Order Number 3 stay in place but be -
3 repealed on those spaces that indicate it on there. -
4 Anything that is stating that the City Administrator -
5 has authority over the City Council, we have asked that -
6 it be repealed. Things such as reporting to the RTAB -
7 financial reports and that type of thing is still in -
8 place. -

9 But, if we're going to get back to home rule, -
10 then we must have Order Number 3 repealed. Just as the -
11 Mayor had asked when she entered office, we're asking -
12 now -- and the Governor did write the letter and he's -
13 on the same page. We're asking the RTAB to consider -
14 this today. There is nothing that we're asking for -
15 that's extra. All we're asking for is that -- what it -
16 was profiled for, Ms. Henderson, she is no more. She's -
17 gone and so it's time for us to move on and do as we -
18 were elected to do. -

19 Those at -- such as reports and attending -
20 meetings and all of that is still in place. Just where -
21 jurisdiction comes in, where we have to ask even for -
22 subpoena power, all that is being asked to be repealed -
23 so we can do what we're elected to do. -

24 THE CHAIRPERSON: We've reviewed the proposed -
25 changes and I do have several questions. -

1 The first category of questions have to do -
2 with, as I look at items that would be deleted, -
3 Paragraph 6 says -- and these are current duties of the -
4 City Administrator. "Translate executive decisions and -
5 policies of the Mayor into administrative procedures, -
6 for the cost effective and efficient operation of the -
7 City. -

8 Paragraph 7, Implement legislative actions of -
9 the Council." -

10 Paragraph 22 is another example, "Negotiate -
11 all collective bargaining agreements on behalf of the -
12 City." But the question that I have with respect to -
13 these items is that, if they're deleted, is it the -
14 Council's understanding that someone else would perform -
15 those duties or would they not be performed at all? -

16 MR. NELSON: I'm thinking that maybe, when we -
17 got to that, there was something that we need to change -
18 because we want the City Administrator to have powers -
19 to negotiate day-to-day functions of the City. Just -
20 when it came to oversee, oversight of us, that we ask -
21 to be -- to repeal. So that may have been taken out by -
22 accident. -

23 THE CHAIRPERSON: Only the one on collective -
24 bargaining? -

25 MR. NELSON: Yes. -

1 THE CHAIRPERSON: Or the other one as well? -

2 MR. NELSON: The two that you stated. -

3 Because that's in his responsibility, even in the -

4 Charter. So we want the Charter to stand. -

5 THE CHAIRPERSON: So would it be the -

6 preference of the Council, then, to perhaps refine --

7 MR. NELSON: We can. We can do that; redo -

8 it. -

9 THE CHAIRPERSON: -- this and re-present it? -

10 MR. NELSON: Uh-huh. Yeah, we can do that. -

11 THE CHAIRPERSON: I will ask, then, given the -

12 Council President's willingness to do that, that we can -

13 have a motion to, in effect, table this issue and have -

14 it brought back to us at a subsequent date. -

15 MR. TOWNSEND: Motion to table it. -

16 MR. FINNEY: Support. -

17 THE CHAIRPERSON: Is there any discussion? -

18 Without objection --

19 MR. FINNEY: I have -- well --

20 THE CHAIRPERSON: Did I move too quickly, -

21 Mr. Finney? -

22 MR. FINNEY: Yeah, just a little quick. So -

23 is there a process within the Public Act 436 to provide -

24 analysis of these kinds -- this is such a wholesale -

25 change. Is there any role that is played by the State -

1 Treasurer in this or no? -

2 THE CHAIRPERSON: The answer is yes. It's -
3 not provided for in 436 but, in our letter of -
4 appointment of April 29th of last year, the Governor -
5 assigned to us an additional task of proposing any -
6 changes or amendments to emergency manager orders. We -
7 have, if you recall, I think, proposed or recommended -
8 recessive changes so far. All those recommended -
9 changes go to the State Treasurer. And so they're -
10 reviewed by him and by Treasury Staff for -- if he -
11 decides whether or not to approve those. -

12 So there is that particular process in place -
13 to review such changes. -

14 MR. FINNEY: Does that review process take -
15 place prior to these items appearing on the RTAB agenda -
16 or is it after? -

17 THE CHAIRPERSON: Informally, before. But it -
18 also takes place in a more formal way after this. -

19 MR. FINNEY: Okay. Okay. -

20 MR. NELSON: Those changes will be to you -
21 this week. -

22 THE CHAIRPERSON: Because this particular -
23 item that we've just tabled sort of deals with the -
24 overhanging issue of restoration of authority here, in -
25 this case, of the Council, I'd like to ask the -

1 Administration and the Mayor or Mr. Branch, as a -
2 general proposition, does the Administration favor the -
3 restoration of authority to the City Council or no? -

4 MR. BRANCH: I think the Administration -
5 would like to work with the City Council to see what -
6 all they were trying to change in that order. I think -
7 we can come together and work together to find a -
8 resolution. But we want to make sure that we're aware -
9 of what the changes are and we give and take and come -
10 together as a team. -

11 THE CHAIRPERSON: As a general proposition, -
12 would the Administration favor restoration of City -
13 Council authority, whatever the process may be to do -
14 it; would it favor that or would it not favor it? -

15 MAYOR WEAVER: We've always been in favor of -
16 home rule. That's something that we talked about from -
17 the very beginning. So that has never changed. That's -
18 what we've always -- the only thing we're saying is we -
19 did not see this in here and we have not had a chance -
20 to look at anything. And I'm willing to sit down with -
21 Mr. Branch to try to work together but home rule has -
22 always been --

23 MR. BRANCH: So, with that being said, -
24 Mr. Nelson, the City Council -- I think we need to find -
25 the time in our schedules and calendars to sit down and -

1 walk with us point by point and make sure we're all in-
2 agreement as to what it is, what it's meant to be and-
3 then come to a resolution of what the impact or -
4 resolution could be. -

5 MR. TOWNSEND: So, if I could ask the -
6 question of Mr. Branch -- and Mr. Nelson may be able to -
7 speak to it. Councilman Nelson may be able to speak to -
8 us, also. -

9 So what you're saying is there has been no -
10 communication between the Administration and the -
11 Council on this issue? -

12 MR. BRANCH: Not to my knowledge. -

13 MR. NELSON: Mr. Jones has a copy -- had -
14 received a copy of this and so he has it. Where he has -
15 it, I don't know. But let me say this, if I can -- and -
16 I appreciate the question of asking the Administration -
17 are they on board. But we're elected to do a job. -

18 And if the Governor has stated on a letter -
19 that he is not opposed and that's where he want us to -
20 be and the Mayor, once she was elected, asked for her -
21 powers and we have worked with her and I'm planning to -
22 continue to work with her, I'm going to fight until I -
23 can't fight no more to get these powers back. -

24 Now, I don't care who like it or who don't. -
25 I was elected by the people. I didn't win by five or -

1 six votes, the people voted. And so they voted and I'm -
2 going to represent the people. Now, I'm asking to work -
3 with anybody. Mr. Jones has a copy. But I hope and -
4 pray that it's not determined on how the Administration -
5 felt. Because when she got her powers, I said, -
6 "Congratulations. Job well done." She deserved it. -
7 The people voted for her. They elected her. -

8 But I pray that it won't go on if the -
9 Administration want us to have it or not. It's enough -
10 phone calls being made trying to stop this process. -
11 And I pray that it won't end up on whether they want it -
12 right now or later. According to the Governor, he's -
13 willing to do it now. -

14 But there was a process that we had to go -
15 through for Order Number 3. Because there's no more -
16 Natasha Henderson, she's gone. That was designed for -
17 her, Order Number 3. We kept in it place because you, -
18 rightfully, as RTAB, have every right to know the -
19 financial situation or impact that it may cause in the -
20 City and we appreciate that. But I'm not giving up -
21 this fight. And I don't care who like it and who -
22 don't, I'm not giving it up. -

23 People elected me and I'm going to serve them -
24 and I should have all -- we should have -- as elected -
25 officials, have our powers. I appreciate the Mayor, -

1 she been ready to fight for her powers but I'm not -
2 going to stop fighting for mine. -

3 COUNCILMAN MAYS: Mr. Headen, if I may? -

4 THE CHAIRPERSON: Do you have a question? -

5 COUNCILMAN MAYS: Yeah, of course. I want -
6 power. I don't believe in emergency managers, -
7 Transition Advisory Board. But, when it's a Council -
8 card, I should have seen that letter from the Governor. -
9 I should be involved in the review of Order Number 3. -
10 As a matter of fact, I put it on the floor at the last -
11 Council meeting. So, on the record, the Council --
12 eight Council persons or seven or five, we're the only -
13 ones elected -- we are all elected as a Council body. -

14 THE CHAIRPERSON: Councilman, I'm sorry, is -
15 there a question, please? -

16 COUNCILMAN MAYS: My question is I hope that -
17 this postponement doesn't delay the process and I hope -
18 your intent of postponing it, which I seem to agree -
19 with, don't delay the process of us going through a -
20 process together of getting our power back. -

21 So, if you want me to speak in the form of a -
22 question, I did. And, if you want me to stay in order, -
23 I will. But I can't sit and let a record be made on -
24 something that I'm not a part of. And so I'll stand -
25 strong in principle and I done marched and did against -

1 emergency manager laws before some of the people out -
2 here were "amen"ing. So my question has been asked. -
3 But I'll wait and follow up on all I've heard today -
4 when you call my name on the slip. But I'm that type -
5 of guy, I just can't sit and listen some time and I -
6 appreciate you not ruling me out of order with this -
7 Chief here. Thank you for your indulgence. -

8 THE CHAIRPERSON: Thank you. Let me just --
9 I'm sorry. -

10 I just want to say, for the record, before we -
11 leave this issue, that I had a recent telephone call -
12 with Council President Nelson, I believe Councilman -
13 Kincaid and Mr. Jones in which I encouraged both -
14 branches to communicate more effectively with each -
15 other. I also make clear that the RTAB is not going to -
16 dictate or attempt to dictate the issues, that public -
17 branches of government are accountable to the residents -
18 of the City and we're not going -- as a RTAB -- and I'm -
19 speaking on my own behalf but I'm hoping the other -
20 members of the RTAB would concur -- we were not going -
21 to be in the business of trying to remediate disputes -
22 at the City Hall. I think the residents would expect -
23 the elected officials to cooperate for their good. We -
24 are here to assist in our role, a financial oversight, -
25 but we're not going to be sort of embroiled in internal -

1 disputes. -

2 We want the elected officials to work -
3 cooperatively together on their own through whatever -
4 processes exist. And, when items come to our attention -
5 we need to address, we'll certainly do so. The other -
6 point that I made to all three gentlemen was the fact -
7 that the RTAB will restore authority to either or both -
8 branches as the RTAB sees fit and thinks it's -
9 appropriate. We're not going to, in effect, favor one -
10 branch over the other. We're going to try to be a fair -
11 and equal arbitrator for both branches of government -
12 but not favor one over the other. -

13 So do you have a question, Councilman? -

14 MR. DAVIS: Yes. Well, since I was up here, -
15 I don't want my standing to be in vein because I am an -
16 elected official. And may this carry far or may it -
17 carry nowhere, I just feel compelled to make a -
18 statement about Council being in a position of -
19 leadership and doing the things that people has -
20 invested in us for us to do. -

21 And I think, by a rule of thumb, coming from -
22 the Charter in local government, the legislative body -
23 should always be in some form of authority to be able -
24 to conduct the City business and one party should not -
25 be in authority and another party doesn't have no -

1 authority at all. That's not local government. That's -
2 not government at all, to be really honest with you. -

3 Government is when both parties are on the -
4 same page and both parties are moving an agenda for --
5 with the same amount -- equal opportunity, and same -
6 amount of authority as everybody else. This is not an -
7 extension between two parties or two entities, this is -
8 just something that needs to be brought to the table so -
9 that fairness and just can be brought to the elected -
10 officials in the matter that is brought to the -
11 Administration. It's not a distention. It's not an -
12 argument about who don't get along and who can get -
13 along, it's about doing the right thing based on the -
14 Charter and the government the way the government is -
15 structured and function. -

16 Because it is not moving in a way that -
17 government is structured and function, then you don't -
18 have a government. Half of something is more than -
19 nothing at all. And so we want it all so that we can -
20 function in the matter as elected officials. -

21 And I understood what you just said, I just -
22 didn't want to be standing here in vein because I -
23 represent 12,000 people. And I want the people to know -
24 that I have a voice for them, to what extent it makes -
25 sense, to what extent it resonates. I just wanted to -

1 bring it to your attention that we understand that we, -
2 as a legislative body, want to do things that a -
3 legislative body does. In order to do what a -
4 legislative body does, we have to be in a position, we -
5 can't just be sitting here looking at the people and we -
6 have no recourse. We need for the people to come and -
7 listen to us or people come and we listen to them. It -
8 makes us equal to them, and we are to some extent. -
9 But, if we are for looking to give them help and render -
10 them that which we should be able to render them, we -
11 can't be equal. Thank you. -

12 MR. FINNEY: Mr. Chairman, just one thought. -
13 It was not directed to any speakers in particular. I -
14 would just come back and just -- just reiterate the -
15 importance of there being a level of communication and -
16 a process for communication that goes beyond what -
17 hasn't worked so far. And again, I'm not criticizing, -
18 I'm saying it's just so obvious to me that there is a -
19 need for a communication process. And so I would just -
20 encourage that because that's going to allow the City -
21 business to move forward so much more effectively. And -
22 I think we've been able to demonstrate that when the --
23 when items come before us that are supported by the -
24 City, meaning both the Administration and the Council. -
25 We are agreeable, we buy off on those, and we have no -

1 reason to do otherwise, in general. -

2 And -- but it is important, though, to have a -
3 communication process so that this doesn't become a -
4 forum for vetting differences. I just don't -- I think -
5 it's counterproductive. When you have, you know, all -
6 the time in between our once-a-month meetings to vet -
7 all the challenges that are going on. And I recognize -
8 how challenging it is, given all that the City has gone -
9 through. So don't misunderstand me, it's not a simple -
10 thing; I get that. But that first major step of making -
11 a commitment to get together and work together is the -
12 process that I think would be most effective. -

13 THE CHAIRPERSON: Mr. Cline, we seem to have -
14 drifted into public comment. -

15 MR. CLINE: All right. Did you want to -
16 address the budget report? -

17 THE CHAIRPERSON: No. Let's proceed with -
18 public comment. -

19 MR. CLINE: Okay. I'll go on. -

20 Okay. We have a number of individuals today. -
21 So the first one is Jarret, Jarret Haynes. -

22 MR. HAYNES: Thank you. Jarret Haynes -
23 objecting to the regular -- the Whiting -- I represent -
24 the Whiting in our City. We just want to extend our -
25 appreciation both to this board, to the Council and the -

1 Administration for their support, not only for the OPRA -
2 transfer but for the entire Capitol Theatre project and -
3 to go on record to say that all of us in this -
4 partnership to bring educational engaging activities -
5 through the arches. And we stand ready, as we always -
6 have, to serve and meet the needs of this community now -
7 and on an extended basis in the future and thank -
8 everybody for their support. Thank you. -

9 THE CHAIRPERSON: Thank you. -

10 MR. CLINE: Sorry. New equipment. -

11 Eric Mays. -

12 COUNCILMAN MAYS: Yeah, Councilman Mays. I -
13 really understand the postponements, the subtle -
14 messages, the communication that has been made and the -
15 business that's been taken care of or not taken care of -
16 by this Receivership Transition Advisory Board. I've -
17 made the record clear. I believe in democracy. I -
18 believe in not -- I don't believe in emergency -
19 management law. But, when I got elected, I believe I -
20 was coming onto a City Council that believed in -
21 democracy, believed in fairness, fair treatment, doing -
22 due diligence, vetting. -

23 I would love to see a copy of that letter, -
24 first I've heard. If there's a detailed letter from -
25 the Governor, Bear or whoever talking on my behalf, I -

1 want to know about it. If we, as a Council is granting -
2 the get rid of Emergency Manager 3, Natasha Henderson, -
3 I want to know about it before it gets here. -

4 I brought it up in Council meeting and they -
5 hadn't heard a mumbling word. Just the other day, I -
6 looked at the legal aspect of how Natasha Henderson's -
7 order was worded. Because I said, when you look at the -
8 detail, it's gone. Why do I have to read in the -
9 newspaper about a letter signed by every Council member -
10 but one saying Council want to meet with the Mayor, -
11 too, People? It's done got ridiculous. And I'm just -
12 making a record. Because I can't stand to sit in a -
13 meeting on somebody who speaks for the Council and I'm -
14 a part of it. -

15 I can speak for myself, I'm 57 years old and -
16 I ain't for no mess. I know politics well and I -
17 politic with the best of them. I want my colleagues to -
18 know all nonsense must stop. -

19 THE CHAIRPERSON: Thank you, Councilman Mays. -

20 COUNCILMAN MAYS: Is something funny? -

21 MS. GALLOWAY: It is. -

22 MR. CLINE: Kate Fields. -

23 MS. FIELDS: I'm a little short. Good -
24 afternoon, gentlemen. I'm Kate Fields, the 4th Ward -
25 Councilperson and I'm here to really urge you to -

1 restore full powers back to Council. Because what -
2 you've done in your Resolution 2016-1, which literally -
3 only gave the Mayor the power to hire and fire, they -
4 have -- the Administration is taking this as a full -
5 restoration of that branch of the government. And what -
6 you've done by not restoring some of -- or all of -
7 Council's power is you've created an inequality in the -
8 check and balance system of our government. -

9 And subsequent events have really pointed out -
10 some examples of problems this is causing. For -
11 example, our financial stability ordinance prepared by -
12 the EFM, all of them are obsolete, and that includes -
13 the purchasing ordinance. And you've suggested that we -
14 review and amend the purchasing ordinance so you'll -
15 table the issue of dismissing authority. -

16 Unfortunately, timeliness is of the essence -
17 because, as Councilperson, I'm being asked, now -
18 especially with the revelation in the media, okay, of -
19 allegations made by Natasha Henderson that Mayor Weaver -
20 has been directing City Staff to direct charity -
21 donations to her personal accounts rather than to a -
22 City or a community foundation fund. Can you imagine -
23 the questions that we're being asked by the public? -

24 So any spending by the City, an amendment of -
25 a purchasing ordinance is a really good idea and has to -

1 be done because all of the language is obsolete because -
2 it refers to what an EFM will do or a city -
3 administrator and I don't believe that you mean to have -
4 the City Administrator hired by Mayor Weaver to have -
5 the same power that was intended as the Administrator -
6 Natasha Henderson. -

7 So there is a timeliness issue and I think -
8 the public deserves to know that there's greater -
9 oversight. There's also problems with multiple-member -
10 boards. Our CBDG allegation, our height participation -
11 plan, which was created by the City, approved by the -
12 City and approved by HUD, says that we have to have -
13 citizen input. Now, this is 4 to \$5 million a year -
14 that's involved. And when the HUD -- we've been out of -
15 compliance during all of this mess and HUD has given us -
16 leeway because they don't really know how to respond to -
17 the EFM. Somebody's, you know, elected an RTAB board, -
18 whatever. But --

19 THE CHAIRPERSON: You need to conclude. -

20 MS. FIELDS: Okay, I will conclude. -

21 Anyway, this annual block grant needs to be -
22 addressed. There's a timeliness issue. It needs to be -
23 addressed now. And you explain to HUD how Council has -
24 the power, which it did under the Citizen Participation -
25 Plan, to make that decision in the middle of this whole -

1 legal mess and language mess. So I urge you, -
2 timeliness is of an issue and please restore the power -
3 of Council. Thank you. -

4 THE CHAIRPERSON: Thank you. -

5 MR. CLINE: A.C. Dumas. -

6 MR. DUMAS: Good afternoon. My name is -
7 A.C. Dumas and I'm a resident of the City of Flint and -
8 I'm going to take exception to the 4th Ward -
9 Councilperson, Kate Fields brought out what was alleged -
10 in the paper about Mayor Weaver. You know, years ago, -
11 under the Walling Administration, Kate Fields, the FBI -
12 came in the City of Flint, took records and she was a -
13 part of an investigation. So I take exception for her -
14 to throw these darts at Mayor Weaver. -

15 I also want to say about -- and I've asked -
16 you all this before about the Council meeting. We got -
17 out a little early. We got out maybe 10:30 this time. -
18 But, remember, we only had two items on the agenda and -
19 you know, we got Councilperson Galloway who was in the -
20 meeting. You've got to have a quorum. She got up out -
21 of a meeting, which means we didn't have a quorum. So -
22 that meeting was dismissed, City Council meeting, where -
23 the people came. You had a Councilperson that got up, -
24 some of them left. So one of them got up, we didn't -
25 have a quorum for two -- two times this Monday. You -

1 didn't have a quorum so you couldn't -- you know, they -
2 couldn't continue their business, its agenda. Now -
3 whatever you all do, you do. -

4 Now, they called my name in the community of -
5 a whole room and say they want to investigate me for -
6 allegedly, I guess, Ms. Fields, for, on paper, getting -
7 money. I told the Clerk and I told all the members to -
8 put me under the oath right now, right now. I've never -
9 received one red penny from the City of Flint. Only -
10 thing I get is a tax refund. I usually owe them from -
11 the City of Flint, not close enough, not one red penny. -

12 And for you -- for the volunteers to come -
13 down here, when you come down for water, volunteers -
14 don't get paid. They don't get paid but they have a -
15 grudge against the Mayor's office and the people that -
16 befriend her. I don't care what they think about me. -

17 I just want that for the record; I have -
18 never, ever received one red penny from the City of -
19 Flint. Thank you. -

20 Wait. I can say that, when I'm doing -
21 demolition under which you're standing, I did have a -
22 City of Flint contract but I did a great job in -
23 demolition. -

24 THE CHAIRPERSON: Thank you. -

25 MR. DUMAS: Ms. Fields, that's for you. -

1 MR. CLINE: Chris Del Morove.-

2 He left. Okay. Monica Galloway.-

3 MS. GALLOWAY: Hello, Gentlemen.-

4 THE CHAIRPERSON: Councilwoman.-

5 MS. GALLOWAY: I just want to share with you, -
6 there is many challenges that are going on with the -
7 Council outside of the Administration. I respect all -
8 of my colleagues but there are times where some -
9 colleagues are very confrontational, they have no -
10 decorum, they're rude, they use profanity.-

11 The meeting in which I -- respectfully, -
12 before I even left the meeting, I shared -- as we were -
13 having dialogue as a Council, Councilman Mays often -
14 feels as though he needs to be an adversary to each -
15 comment that a colleague makes. And so he was -
16 operating in that same vein. And so, when I made my -
17 comment, I respectfully said to the Chair, "I recognize -
18 that there are not a lot of our colleagues here. I -
19 recognize that, if I leave the meeting, there will not -
20 be a quorum. But, respectfully, because I think that -
21 this behavior is inappropriate, I am going to remove -
22 myself from the meeting." And so that is why I left -
23 the meeting.-

24 But it is important to know that every agenda -
25 item on our list had been accomplished so we were -

1 totally done. But, once again, Councilman Mays -
2 continues to say, "I got something. I got something." -
3 So, for the record, if you look at that agenda, we had -
4 come to the end of the agenda and were actually about -
5 to adjourn the agenda when I made that statement. So I -
6 just wanted to say, as a Councilperson, I do -
7 respectfully represent the ward that I represent and -
8 the City well. And I just want that to be on the -
9 record as well. Thank you. -

10 THE CHAIRPERSON: Thank you. -

11 MR. CLINE: Arthur Woodson. -

12 MR. WOODSON: How are you doing? I'm not -
13 here to -- I'm not with cliques and I'm not with a -
14 certain group of people. That's how Flint has been -
15 operating for a long time now. I don't have to agree -
16 with the Mayor. I voted for the Mayor and I don't have -
17 to agree with her if she's right or wrong. -

18 The Mayor didn't come to the City Council and -
19 ask for her powers and ask them to agree -- or work -
20 with them to get her powers back and you all made the -
21 judgment and gave her her powers back. You ought to do -
22 the same right now. -

23 Dumas coming up here and throwing darts and -
24 saying stuff about what happened and this and that and -
25 Dumas is under investigation right now for voting -

1 fraud. His family voted in Texas and Kentucky. And -
2 how did they vote in Michigan? This is a circus. This -
3 Flint, Michigan right now looks like a circus. That's -
4 what's going on right now. You don't have any checks -
5 and balances. -

6 The Council should have their powers back and -
7 the City Administration shouldn't be writing letters to -
8 the State, saying that they should have their powers -
9 back because that lets the Governor and everyone else -
10 know that they can come in between and make them fight; -
11 that's the problem here. -

12 And you all should have gave them their -
13 powers back. You don't need an amendment. You don't -
14 need a resolution. You can say, "Here's your powers." -

15 Checks and balances. If it's for contracts, -
16 if it's for purchasing, if it's for whatever, you can -
17 give them their powers back. And you should give them -
18 their powers back so that we can have a checks and -
19 balance. -

20 That's just like the President and Republican -
21 Party, they have checks and balances. And that's what -
22 makes the City work and operate. We won't have any -
23 problems with money issues and people spending money -
24 without the City knowing about it. We can keep up with -
25 the money. Thank you very much. -

1 THE CHAIRPERSON: Thank you. -

2 MR. CLINE: Davina Donahue. -

3 MS. DONAHUE: Hello. My name's -

4 Davina Donahue and I am part of Council Staff. I -
5 work -- I'm sorry, Clerk Staff. I work with the -
6 Council. So, actually, I work for all of them. And I -
7 just wanted to address the resolution process. Again, -
8 I'm just for the process. Everything else, whatever -
9 the content and all that, I don't care, just as long as -
10 it follows the process. -

11 We do have an internal process in place -
12 whereby resolutions generate from departments, they go -
13 to Legal for the whatever forum, then it goes to -
14 Finance, then it goes to the Mayor's office. And then, -
15 from there, it's submitted to the Clerk for the agenda. -

16 So then we get it as staff and we create the -
17 agenda. Sometimes -- we usually do it on a Friday -
18 before the Council meeting on Monday. Sometimes we -
19 don't always get the resolutions beforehand and Council -
20 wants to do stuff on it. Council votes on it and, even -
21 if their attorney speaks, if they approve it, if it's a -
22 legal document, the next day, if I can create it, I do -
23 it and send it through. -

24 Right now, because we actually are --
25 everything's going to the RTAB, I do the summary the -

1 next day and any resolution we are now sending to the -
2 RTAB the next day. So usually it only has the -
3 President's signature; that's just because the Council -
4 adopted it. -

5 I do -- I just -- one thing I do want to -
6 point out for everybody, saying, you know, it needs -
7 this signature and that signature. During the time -
8 when the manager was here, the manager approved all -
9 resolutions and that was the only signature that was -
10 required. -

11 After the Manager left, they started adding -
12 the Council President's signature to Council -- to -
13 resolutions. Before that, the President never signed -
14 any resolution, it was the Clerk's staff. The Charter -
15 speaks to the Clerk signing all resolutions and -
16 ordinances to have effect. -

17 So, technically, every resolution that you -
18 have adopted isn't official because the Clerk did not -
19 sign or the clerk's staff. -

20 We -- I used to sign every resolution -
21 approved by Council as long as I've been knowing -
22 Council staff -- or here. So I just wanted to say, you -
23 know, we're talking about process and being formal, -
24 we're not following the Charter right now because all -
25 resolutions and ordinances aren't being signed by the -

1 Clerk or staff. I had two minutes. I'll talk next -
2 time. So I just wanted to say that. So yeah. -

3 MR. FERGUSON: Thank you. -

4 MR. FINNEY: Thank you. -

5 MR. CLINE: Last individual is Quincy Murphy. -

6 MR. MURPHY: Good evening. Quincy Murphy and -
7 I'm a Charter Commissioner for the City of Flint. So -
8 all of this information is very informative to me to -
9 help us direct a new City Charter that we'll be asking -
10 for the voters to vote on in a couple years. -

11 Hopefully, by the end of this year we should be done. -

12 But I want to talk about two issues I think -
13 that's important to brought -- that came to my -
14 attention. Number 3, the resolution -- no, A, -
15 Resolution 136, health benefits for surviving spouses -
16 of City of Flint police officers and firefighters. I -
17 think it's so very important that you guys support this -
18 resolution to not -- allow a spouse and her siblings to -
19 get benefits from a -- someone that worked for the City -
20 that passed away. -

21 Just think if it was one of you all that -
22 passed away and had a wife and she don't have the -
23 opportunity to be -- to have assistance in this. -
24 That's unfortunate that you guys didn't support this. -
25 Hopefully, this will come back up and you guys will. -

1 meeting. -

2 MR. WOODSON: You can't do it before then? -

3 THE CHAIRPERSON: It depends on when the work -
4 is done. In the case of the resolution, we're looking -
5 for additional financial information. So it's going to -
6 be a function of how quickly that can be provided. -

7 With regards to EM Order Number 3, the -
8 Council has to go back and review that and make further -
9 changes to it. So, if they are -- if they're done, -
10 certainly, by our next meeting, we'll take it up there. -
11 If it's done more quickly --

12 MR. WOODSON: What if it's done next week, -
13 can you all call a special meeting next week? -

14 THE CHAIRPERSON: We could, if necessary, -
15 yes. -

16 MR. WOODSON: Wow. -

17 THE CHAIRPERSON: It depends on when it's -
18 done. I'm not going to deal with hypotheticals. -

19 MR. WOODSON: Okay. -

20 THE CHAIRPERSON: Mr. Cline, any further --

21 MR. CLINE: No, sir. -

22 THE CHAIRPERSON: I'm going to ask, if -
23 there's no objection, that the budget to actual report -
24 be received --

25 MR. FINNEY: Okay. -

1 THE CHAIRPERSON: -- without objection.-
2 Is there a motion that we adjourn? -
3 MR. FINNEY: So move.-
4 THE CHAIRPERSON: Is there support? -
5 MR. TOWNSEND: Support.-
6 THE CHAIRPERSON: Without objection, we're -
7 adjourned. -

8 (Meeting was concluded at 3:39 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 (68) pages, is a true and correct transcript of my said stenographic notes.

_____ -
Date

Mona Storm
CSR-4460 -