

1 CITY OF FLINT  
2 RECEIVERSHIP TRANSITION ADVISORY BOARD MEETING  
3 WEDNESDAY, JUNE 14, 2017  
4 2:00 p.m.

5  
6 Meeting before the  
7 RTAB Board at Flint City Hall, Flint, Michigan, on  
8 Wednesday, June 14, 2017.

9  
10 BOARD MEMBERS PRESENT:

11 Frederick Headen - The Chairperson  
12 Joel Ferguson (by phone)  
13 David Tarver  
14 Paul Newman

15 FROM THE CITY:

16 Mayor Karen Weaver  
17 City Councilman, Scott Kincaid  
18 City Councilman Eric Mays  
19 City Administrator, Sylvester Jones  
20 Deputy Finance Director, Dawn Steele  
21 City Attorney, Angela Wheeler  
22 Chief of Police, Timothy Johnson  
23 Chief Public Health Advisor, Pamela Pugh

24 OTHERS PRESENT:

25 R. Eric Cline  
Arthur Woodson  
R.L. Mitchell  
A.C. Dumas

REPORTED BY: Mona Storm, CSR# 4460



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1 Flint, Michigan

2 Wednesday, June 14, 2017

3 2:04 p.m.

4 THE CHAIRPERSON: The meeting will come to  
5 order, please.

6 First item of business is the roll call.

7 Please let the record reflect that we do have  
8 a quorum, consisting of myself; Mr. Ferguson, by  
9 telephone; two new members who I'd like to welcome and  
10 introduce, Mr. David Tarver directly to my right; and,  
11 next to him, Mr. Paul Newman.

12 Gentlemen, welcome to both of you.

13 MR. TARVER: Thank you.

14 THE CHAIRPERSON: And, in your honor, I see  
15 we have a full contingent from the uniformed forces  
16 here in the City of Flint.

17 We welcome you.

18 Next item is the approval of the agenda. Are  
19 there any additions to the agenda?

20 If not, the agenda will be considered  
21 approved without objections.

22 Next item of business is the approval of the  
23 RTAB meeting minutes from May 10th. Those were sent  
24 out in the packet on Friday. Are there any corrections  
25 or additions to those minutes?

1 I do have one minor correction on Page 29 of  
2 the minutes. Line 17, the word "no" should be "now",  
3 N-O-W.

4 Are there other corrections or additions to  
5 the minutes?

6 If not, is there a motion that the minutes,  
7 as corrected --

8 MR. FERGUSON: So move.

9 THE CHAIRPERSON: Is there support?

10 MR. NEWMAN: Support.

11 THE CHAIRPERSON: Any discussion? If not,  
12 those in favor, please say "aye".

13 BOARD MEMBERS: Aye.

14 THE CHAIRPERSON: Opposed?

15 Motion is adopted.

16 Next item is unfinished business. We have  
17 two items. We'll begin with Resolution 138.

18 Mr. Cline, can you refresh us as to the  
19 substance of Resolution 138 and then, also, 138.2?

20 MR. CLINE: Yes, sir. The Resolution 138 and  
21 138.2, which is a slightly amended version, changed the  
22 damage claim policy and procedure for the City,  
23 requiring any settlement for damage claims against the  
24 City totaling more than \$2,500 had to go before the  
25 City Council for approval. The City Council adopted

1 that. Subsequently, the Mayor issued a veto on that  
2 and the City Council then voted to override the Mayor's  
3 veto on that particular item.

4 The resolution, that was finally adopted by  
5 the City Council. Also, I believe the City Attorney  
6 had not signed off on -- as to form on that one but she  
7 may have subsequently resolved that issue with the City  
8 Council. But we have not seen a completed version of  
9 that resolution. But that's all the information I have  
10 at this point on -- on that matter.

11 THE CHAIRPERSON: And then 138.2 was the  
12 amended version?

13 MR. CLINE: Yes.

14 THE CHAIRPERSON: Is there a motion that  
15 Resolution 138 be approved?

16 MR. TARVER: So move.

17 THE CHAIRPERSON: Is there support?

18 MR. FERGUSON: Support.

19 THE CHAIRPERSON: Any discussion?

20 If not, those in favor of the motion, please  
21 say "aye".

22 BOARD MEMBERS: Aye.

23 THE CHAIRPERSON: Opposed?

24 Motion is adopted.

25 That brings us to 138.2. Is there a motion

1           that 138.2 be approved?

2                     MR. NEWMAN:  So move.

3                     MR. FERGUSON:  Support.

4                     THE CHAIRPERSON:  Motion's made and seconded.

5           Any discussion?

6                     If not, those in favor, please say "aye".

7                     BOARD MEMBERS:  Aye.

8                     THE CHAIRPERSON:  Opposed?

9                     I'm sorry.  Motion is approved.

10                    Next items of unfinished business are  
11           Resolutions 199 through 205 that we had deferred from  
12           the last meeting.  They're on the agenda as unfinished  
13           business today simply as a reminder.  These resolutions  
14           were appointments by the City Council to the City Wide  
15           Advisory Council.  And, as we had discussed previously,  
16           the counterpart to the City Wide Advisory, the  
17           so-called City Wide Advisory Committee, had been  
18           abolished by Emergency Manager Mike Brown.

19                    In order to bring that particular body back  
20           or to resurrect it by greeting the City Wide Advisory  
21           Council would require that that order be amended.  That  
22           has not been done yet.  And so, as a result, as we  
23           indicated at the meeting in May, these appointments  
24           have no effect until the EM Order is amended.  So I  
25           wanted to use this opportunity, simply, to remind

1 people of the status of those resolutions.

2 That takes us, then, to new business.

3 First item, Mayor or Council President,  
4 Mr. Jones or someone?

5 Madam Mayor, welcome.

6 MAYOR WEAVER: Thank you. Good afternoon. I  
7 don't have anything I wanted to start off with, other  
8 than to say I'm glad to see we have two new board  
9 members and I'd like to welcome Mr. Newman and  
10 Mr. Tarver to the Receivership Transition Advisory  
11 Board.

12 We are here because we want to discuss the  
13 budgets and we see that has been added as an agenda  
14 item and we have concerns about that. And so that's  
15 the discussion we're looking to have a little bit  
16 later.

17 THE CHAIRPERSON: Thank you.

18 MAYOR WEAVER: Thank you.

19 THE CHAIRPERSON: Council President Nelson?  
20 Councilman Kincaid.

21 COUNCILMAN KINCAID: Thank you, Mr. Chairman  
22 and board members. I just wanted to address you.  
23 There are a couple things that -- one, the budget. A  
24 little later on, hopefully we'll be able to have some  
25 discussion about that. The City Council adopted a

1 budget on Monday, June the 5th. And, yesterday at  
2 2:00, the Mayor had vetoed that budget that the City  
3 Council adopted.

4 We have scheduled a Special City Council  
5 meeting for tomorrow at 1:00 in the afternoon. And my  
6 concern would be that the RTAB deal with this issue in  
7 one of two ways; to either tentatively approve the  
8 budget that the City Council had passed, pending a vote  
9 to override, or to schedule a special RTAB meeting so  
10 that the budget that is dealt with tomorrow gets done  
11 prior to the next RTAB meeting in July, so that we  
12 don't have a pay-less payday.

13 And the second issue that I want to address  
14 and I'm highly disappointed that it didn't make the  
15 agenda today, even though we dealt with it on Monday at  
16 our City Council meeting. And I know that in the past,  
17 when issues of very importance have been dealt with at  
18 the City Council meeting on Monday, that that  
19 information would be sent to the RTAB for special  
20 consideration at their next meeting, which would be  
21 today.

22 THE CHAIRPERSON: Which item are we talking  
23 about?

24 COUNCILMAN KINCAID: We're talking about a  
25 Memorandum of Understanding that the City has been in

1 on negotiations or discussions with the Flint Police  
2 Department and the Flint police officers.

3 And the City Council approved that Memorandum  
4 of Understanding that would address the issue of  
5 bereavement pay and bereavement time off. And I'm  
6 disappointed that that did not make your agenda for  
7 special consideration today.

8 THE CHAIRPERSON: I expect we'll add that  
9 item.

10 COUNCILMAN KINCAID: You do?

11 THE CHAIRPERSON: Yes.

12 COUNCILMAN KINCAID: Because it's not on the  
13 agenda here.

14 THE CHAIRPERSON: That's correct. We were  
15 informed of the possibility that it might be considered  
16 by City Council on Monday and our response was, if we  
17 could receive, in advance, a copy of whatever would go  
18 to the City Council and assuming that it passed the  
19 City Council, we could also receive an assurance from  
20 the Mayor's office that there would be no veto exercise  
21 because it would fall within the 168-hour --

22 COUNCILMAN KINCAID: Right.

23 THE CHAIRPERSON: -- window that the Mayor  
24 would have. But we would, in fact, add it to the  
25 agenda.

1 COUNCILMAN KINCAID: Okay. Thank you.

2 That's all I have. Thank you, Mr. Chairman.

3 THE CHAIRPERSON: We'll proceed next to  
4 resolutions and ordinances from City Council meetings.  
5 And we'll start with the regular City Council meeting  
6 of May 8th.

7 Mr. Cline.

8 MR. CLINE: Yes?

9 THE CHAIRPERSON: If you can summarize for us  
10 the resolutions listed under that meeting.

11 MR. CLINE: Certainly. Good afternoon,  
12 again.

13 Start with Resolution 130, which is a lease  
14 agreement, a two-year agreement with the Friends of  
15 Berston Fieldhouse, for a lease of the fieldhouse  
16 facility, which appears to be a revenue stream to the  
17 City of approximately \$300 a month.

18 We have Resolution 220.1, which is a lease  
19 agreement with AIS Construction. It's a five-year  
20 agreement for the lease of three backhoe loaders for  
21 the City in the amount of \$33,000 per year.

22 We have Resolution 221, which is an agreement  
23 with Chartier Excavating in the amount of \$700,000. It  
24 is a hydro-excavating contract which will be done for  
25 the Waterline Replacement Project.

1           We also have Resolution 222 with the company  
2           Dependable Sewer in the amount of \$500,000, which is  
3           also a hydro-excavating contract for the Waterline  
4           Replacement Project.

5           You have Resolution 223. Resolution 223 is a  
6           budget amendment transferring funds to the City Clerk's  
7           office in the amount of \$70,000 that was targeted for  
8           the May 2nd special election -- or -- I'm sorry -- May  
9           2nd, election, rather.

10           You have Resolutions 224, which is a budget  
11           amendment for the Police Department. It is in the  
12           amount of \$155,000, and this relates to a Department of  
13           Justice grant that the City is receiving those funds as  
14           a sub-grant from Flint Township.

15           You have Resolution 225, which is a budget  
16           amendment, taking \$500,000 from the funds balance to  
17           the Water Department to address water litigation  
18           issues;

19           Resolution 226, which is a property sale.  
20           It's the sale of a vacant lot on Fenton Road to CNS Red  
21           Ribbon Holding in the amount of \$50.

22           You have Resolution 227.1 -- I'm sorry.  
23           227.1 was actually addressed at the last RTAB meeting,  
24           so that one you don't need to worry about.

25           And then Resolution 229.1 appoints

1           Jacquinne Reynolds to the Valley Area Agency on Aging.

2                   THE CHAIRPERSON:  Is there a motion that the  
3           foregoing resolutions from the May 8th City Council be  
4           approved?

5                   MR. TARVER:  So move.

6                   THE CHAIRPERSON:  Is there support?

7                   MR. FERGUSON:  Support.

8                   THE CHAIRPERSON:  Motion's been made and  
9           seconded.  Is there any discussion?

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

12                   BOARD MEMBERS:  Aye.

13                   THE CHAIRPERSON:  Opposed?

14                   Motion is adopted.

15                   Next would be resolutions from the Special  
16           City Council meeting of May 17th.

17                   Mr. Cline, I believe this concerns the  
18           moratorium on the water liens.

19                   MR. CLINE:  Yes, it does.

20                   You have Resolution 260 and 261.  They are,  
21           essentially, the same moratorium -- same resolutions,  
22           just a few minor adjustments.  But the moratorium  
23           provides for a one-year moratorium on the placement of  
24           water liens on the tax bill.  It has a 90-day review  
25           process before the expiration of the one year.  There

1 is an opportunity for a one-year extension if the City  
2 Council so deems.

3 The Resolution 260.1 appears to amend some of  
4 the references to the City Code of Ordinances. That  
5 resolution identifies and it also has the moratorium  
6 going into immediate effect.

7 So that's sort of the procedural overview of  
8 the moratorium. I think, if there are specific  
9 questions related to the impact of this moratorium, I  
10 would defer that to the City officials.

11 THE CHAIRPERSON: Can someone address the  
12 financial impact, if any, upon the water fund, if the  
13 moratorium is approved today?

14 Councilman Kincaid.

15 COUNCILMAN KINCAID: I was waiting to see if  
16 someone from the Finance Department wanted to do it  
17 first.

18 Mr. Chairman, the moratorium is based on the  
19 County Treasurer not applying the water liens on the  
20 property taxes at this time. So there's, potentially,  
21 no financial impact, at this time, to the City's Water  
22 Fund based on her not applying these liens on the  
23 property taxes.

24 MR. FERGUSON: So that's why we asked for a  
25 moratorium.

1 THE CHAIRPERSON: But hypothetically  
2 speaking --

3 COUNCILMAN KINCAID: I'm sorry?

4 THE CHAIRPERSON: Hypothetically speaking, if  
5 they were part of the delinquent roll that was turned  
6 over to the County and that process did go forward, I  
7 assume that there would be some adverse impact on the  
8 Water Fund because there would be delinquencies that  
9 wouldn't be collected.

10 COUNCILMAN KINCAID: It could have some  
11 impact, depending upon how much the charge-back is to  
12 the City that would have to be back-reimbursed to the  
13 County. And we don't know that at this time and I  
14 don't believe that we were reimbursed for any liens  
15 that were placed in the past couple of years on  
16 property taxes because there were none. So --

17 THE CHAIRPERSON: In terms of the advance  
18 from the County Delinquent Tax Revolving Fund?

19 COUNCILMAN KINCAID: Correct.

20 THE CHAIRPERSON: And was there any  
21 analysis -- while I have you there still, was there any  
22 analysis either done or requested by the Finance  
23 Department, while this resolution was being --

24 COUNCILMAN KINCAID: That would be a question  
25 to the Finance Director. And he's out ill but I don't

1 know if there's someone from the Administration that  
2 can address that. Thank you.

3 THE CHAIRPERSON: Mr. Jones, would you --

4 MR. JONES: I -- oh, Dawn is here.

5 MS. STEELE: Hi. Dawn Steele, Deputy Finance  
6 Director. David Sabuda, who is the CFO, was not able  
7 to be here. He will be back on Monday. But he did  
8 want me to come up and say that Finance does not agree  
9 with the moratorium and there will be an impact.

10 We noticed, as soon as this went into effect,  
11 it was voted on, people were starting to pay on their  
12 backed water bills, we received payment. So we have  
13 already noticed a little bit of effect on it. And so  
14 he wanted me to come up and say that he is not in  
15 agreement with it.

16 THE CHAIRPERSON: Has the Department been  
17 able to quantify what the impact is?

18 MS. STEELE: I don't have the totals from  
19 Customer Service; that would come from them. But I  
20 know there was payments being made of over \$500,000  
21 prior to the Council voting to put a hold to them.

22 THE CHAIRPERSON: And this would have been, I  
23 presume, from the date that the notices went out until  
24 the date that the resolution was adopted?

25 MS. STEELE: Correct.

1                   THE CHAIRPERSON: Which was, roughly, over  
2 what period of time?

3                   MS. STEELE: I don't know what day the water  
4 bill went out, probably a couple of weeks prior to  
5 that.

6                   MR. TARVER: So, excuse me, I'm new here.  
7 And I don't want to make any assumptions about any of  
8 this. So I would just like someone to explain to me  
9 what the motivation for -- what motivated the  
10 moratorium resolution in the first place. What  
11 financial or political --

12                   MS. STEELE: That would best be answered by  
13 Council.

14                   THE CHAIRPERSON: Council President Nelson?

15                   COUNCILMAN KINCAID: Again, Mr. Tarver, one  
16 of the reasons that the City Council had adopted this  
17 resolution was because the drinking water in the City  
18 of Flint is still not safe to drink without a filter,  
19 and that's been highly publicized. We are still  
20 distributing bottled water to residents in the City of  
21 Flint, those that want it. And we believe, at this  
22 time, that it's not prudent to the community to have to  
23 place liens on property until we have a long-term -- or  
24 a decision on our drinking water that is like every  
25 other community in this state that can use it without a

1 filter.

2 And so we didn't want to create a hardship on  
3 residents that were told in the past not to have to pay  
4 for their water because it wasn't safe to drink. And  
5 now to place a lien on somebody's property that could  
6 potentially affect their ability to sell the property,  
7 if they so chose, we felt that it was unfair at this  
8 time. And along with the Treasurer's office -- and I  
9 think the Finance Department could verify this, not  
10 putting the liens -- willing to put the liens on  
11 property anyway.

12 So that was the reason that the City Council  
13 passed the resolution for the moratorium. And those  
14 unpaid balances will carry forward on people's water  
15 bills for the future.

16 MR. TARVER: They're not forgiven?

17 COUNCILMAN KINCAID: They're not forgiven,  
18 not unless the State wants to come up with another plan  
19 to assist us in working to forgive those liens on  
20 people's property or unpaid balances as they did in the  
21 past. I mean, we have a program where the residents  
22 received funding and that funding was applied to their  
23 unpaid balances which generated -- and I'm guessing --  
24 a little over \$3 million in revenue to the City for  
25 unpaid balances that were accumulated from probably

1 around mid-2012 until current.

2 MR. TARVER: So is there a consensus of  
3 opinion between the Council, the administration, the  
4 public, in general, as to what the current status of  
5 that water situation is? You say it's not safe to  
6 drink now. Is that the general consensus?

7 COUNCILMAN KINCAID: That is the consensus  
8 that is being publicized throughout this community.  
9 While they're in the process of replacing lead and  
10 galvanized service lines, that they are recommending  
11 that homeowners, because of a disturbance that may take  
12 place during the replacement of lead and galvanized  
13 service lines, that they do not use the drinking water  
14 for drinking consumptions unless they use a filter.

15 And so we have a program that the Mayor is  
16 highly supportive of, a program called CORE. And CORE  
17 is going around on a regular basis to make sure  
18 residents have a filter for use and to provide new  
19 cartridges, if they so chose and to make sure that the  
20 homes do have filters. And so that program is ongoing  
21 and I don't know that there's an end date to that  
22 program at this time.

23 MR. TARVER: So there isn't a consensus as to  
24 what the end solution is or is there? When -- when the  
25 service line replacements are finished, is the

1 consensus that that will be the end of the problem  
2 or --

3 COUNCILMAN KINCAID: I think we have two  
4 issues that have to be dealt with. I think we have to  
5 address what our long-term water supply is going to be.  
6 Because the County's going to be switching from Great  
7 Lakes Water Authority here in the very near future and  
8 then how long it's going to take to replace these lead  
9 and galvanized service lines.

10 And, until those two things are completed,  
11 the lead and galvanized service lines and the long-term  
12 distribution of water and where it comes from, whether  
13 the City treats its own water from KWA or whether we  
14 continue to purchase water from Lela for the long-term.  
15 Those two issues have not been addressed yet. And  
16 there's people working diligently on the second issue  
17 of long-term water supply.

18 So, until then, if someone from the  
19 administration can -- wants to agree or, you know,  
20 discredit what I'm saying. But it's highly publicized  
21 that people should use a filter at this current time.  
22 And so, with that, we didn't believe that it was  
23 prudent, upon the City's part, to place liens on  
24 people's property.

25 We have to continue to aggressively try to

1 collect unpaid water bills and have people pay their  
2 water bills. That's -- that's very important for the  
3 water fund. But, at this time, it's not right to apply  
4 a lien to somebody's home while we're in the process of  
5 accomplishing the two things that I mentioned and as  
6 long as people have to use a filter to drink water.  
7 And so that was our justification for doing that.

8 MR. TARVER: So, theoretically, given that  
9 the -- there is no long-term solution in hand, right  
10 now, that moratorium, even though it's a year and a  
11 year. But the argument could be made that it should  
12 continue beyond that.

13 COUNCILMAN KINCAID: It very well could. A  
14 year from now, if we don't have a long-term water  
15 supply decided on and whether or not we have --  
16 continuing the process of replacing lead and galvanized  
17 service lines so that the disturbance doesn't put lead  
18 in the system and affect children and residents, I  
19 think that it's prudent upon ourselves to make sure  
20 that we don't place an undue burden on people until we  
21 can provide quality, clean, safe drinking water without  
22 a filter.

23 No other community in this country is -- has  
24 been advocated to use a filter, other than the City of  
25 Flint. And, until we get through these processes and

1 complete these projects, we're going to continue to  
2 make sure that we do the right thing for the residents  
3 of the City. And, one, it is not putting a burden them  
4 by placing a lien on their property at this time.

5 MR. TARVER: Okay. Thank you.

6 COUNCILMAN KINCAID: You're welcome.

7 THE CHAIRPERSON: Councilman, before you  
8 leave, is it safe to presume that the -- these  
9 delinquencies are for the 35 percent of the water bill  
10 that was not covered by the State credit?

11 COUNCILMAN KINCAID: There is no more State  
12 credit.

13 THE CHAIRPERSON: But this moratorium goes  
14 back to, I believe, April 2014 when the water source  
15 changed?

16 COUNCILMAN KINCAID: Right.

17 THE CHAIRPERSON: So the State Water Credit,  
18 which went back to the same date, April of 2014,  
19 covered 65 percent of the water bill, so --

20 COUNCILMAN KINCAID: Yes.

21 THE CHAIRPERSON: So am I correct that the  
22 delinquencies are for the 35 percent not-covered?

23 COUNCILMAN KINCAID: Well, the part --  
24 partially. Because the water credit did not  
25 necessarily eliminate the unpaid fund balance that

1 people had on their water bill because of the amount of  
2 credit that they received.

3 So, if someone had \$1,000 unpaid balance on  
4 their water bill and they only received a \$500 credit,  
5 that \$500 credit was applied to their water bill but  
6 there would still be another \$500 unpaid balance and  
7 that's one of the things that the City was going to be  
8 placing a lien on somebody's property for.

9 So the credit did not necessarily eliminate  
10 all of the unpaid balances that were owed to the City  
11 of Flint but it did help us generate a little more than  
12 \$3 million, I believe. I can't remember the exact  
13 number but I believe it was a little more than \$3  
14 million that went into the water fund based on that  
15 credit that we received.

16 THE CHAIRPERSON: Thank you.

17 COUNCILMAN KINCAID: You're welcome.

18 THE CHAIRPERSON: We had been posing these  
19 questions to the Council President that's head of the  
20 legislative branch and he designated Councilman Kincaid  
21 to come up to the microphone. Are you appearing for  
22 the same purpose, Councilman Mays?

23 MR. MAYS: Not really, Chairman Headen.

24 THE CHAIRPERSON: Can your comments best fit  
25 under Public Comment?

1                   MR. MAYS: They could fit right now if you'll  
2 just give me a little latitude.

3                   THE CHAIRPERSON: Okay.

4                   MR. MAYS: Thank you so much.

5                   The moratorium Commission that follow, asked  
6 a question, what was the motivation politically? My  
7 suggestion as the minority opinion that voted on this  
8 moratorium, this is an ordinance that's been in place  
9 for 40 or 50 years, as it relates to the way that the  
10 application of the ordinance were that it goes over to  
11 the property tax.

12                   My suggestion was two or three vote and it  
13 was drowned out.

14                   The proper way to solve this is to amend the  
15 ordinance.

16                   If Council and the public or anybody else  
17 don't want the delinquencies going to be counted, then  
18 you'll amend the ordinance.

19                   You can amend the ordinance one of two ways.  
20 A delinquency is a delinquency. The way the  
21 application is now, if it goes over to the County,  
22 people continue to have water and you still get  
23 revenue.

24                   But, if it sits there, then you could have  
25 shutoffs and you could lose revenue. At some point,

1       you got to address delinquencies, whether it's \$20 or  
2       \$100 a month. So I said you could amend the ordinance,  
3       you could give the customers a checkoff. You could let  
4       it go to personal collections, you could let it sit  
5       there and be shut off until they rectify it or they  
6       could have the choice of whether they want it to go to  
7       the County on their property taxes and they would have  
8       two or three years to pay and still have water.

9                I don't like people to be shut off. And if  
10       it go to my taxes. I said I'll have to catch it up  
11       because I was delinquent or, if I were to amend the  
12       ordinance and check the box where it goes to my  
13       personal collections, you could do that.

14               So I suggested to the Council, rather than do  
15       a political moratorium, because of the media and  
16       activists, you got to do a well-thought-out change or  
17       amending the ordinance and give the people or you set  
18       an ordinance with a choice. So I look at this  
19       moratorium differently from some of my colleagues and  
20       then I initially rose to say it has an effect on  
21       revenue. Because, if you set it there, you shut people  
22       off, you lose revenue. If it goes and they stay on,  
23       you can continue to get additional revenue. So I know  
24       politics and I appreciate your indulgence and that's  
25       all I have to say unless I'm asked any other questions.

1 Thank you.

2 THE CHAIRPERSON: Thank you.

3 Is there a motion that Resolution 260 be  
4 approved?

5 MR. FERGUSON: So move.

6 THE CHAIRPERSON: Is there support?

7 MR. TARVER: Support.

8 THE CHAIRPERSON: Is there any further  
9 discussion?

10 MR. TARVER: Yes.

11 THE CHAIRPERSON: Mr. Tarver?

12 MR. TARVER: Given that we are likely going  
13 to be meeting again in a week or so, based on the  
14 budget discussion, and given that I'm new to this whole  
15 thing, it would be -- I would consider it beneficial to  
16 table this until the next meeting, if we're going to  
17 have another meeting before the end of the month.

18 THE CHAIRPERSON: We have a motion that has  
19 been made and seconded and that is pending.

20 MR. FERGUSON: Are we going to learn anything  
21 during this period? Where's the advantage of tabling  
22 it if we won't be in the same spot when we meet next  
23 time?

24 MR. TARVER: Well, I hope that I might learn  
25 something about it. But it's not clear. You know, we

1           have the Finance folks saying they disagree. I don't  
2           think we've had a clear statement of impact. And so I,  
3           for one, would appreciate having more of a knowledge  
4           about the impact than I have sitting right here today.

5                       THE CHAIRPERSON: One point that I think may  
6           be helpful, in terms of clarifying this, because we  
7           have spent a lot of time talking about the details of  
8           it -- and I probably agree with comments made by  
9           Councilman Mays regarding the procedural way to have  
10          gone about this. But that's not the issue before us,  
11          nor, frankly, I think are the merits of this particular  
12          proposal.

13                      I suppose one could have different opinions  
14          about whether or not it was prudent to do this. It  
15          does not appear as if, whatever financial consequences  
16          there are from this proposed moratorium are going to  
17          adversely affect the water fund to such an extent as to  
18          possibly trigger another financial emergency. It may  
19          have some adverse impact but it appears as if the  
20          impact is going to be somewhat more measured than that.

21                      We did, 15 months ago, return authority back  
22          to the Mayor and City Council to make decisions like  
23          this. And, in doing so, there was always the  
24          possibility that decisions would be made on occasions  
25          that we wouldn't, as an RTAB, perhaps agree with if

1           they were our decisions.

2                       As an individual RTAB member, I think this  
3           particular issue falls into that category. I might  
4           have voted differently on that issue. I might still  
5           view it differently now. I'm in no position to say  
6           that what the Council did was irresponsible. It's  
7           simply different than what I might have considered  
8           doing from a financial standpoint.

9                       But I don't know that we learn anything more  
10          comprehensive over the next week or two weeks, if we  
11          defer this issue, that we don't know today.

12                      MR. TARVER: Well, I understand that. And  
13          I'm just trying to achieve some clarity. And I can,  
14          you know, certainly sympathize with the motivation for  
15          having a moratorium and that the people who are having  
16          these water difficulties. But it's confusing to me  
17          that part of the administration, you know, the Finance  
18          people, are saying they don't agree with the  
19          moratorium.

20                      So I don't -- I don't have a clear picture as  
21          to what the position of the administration is. Is  
22          there a consensus in the administration and the Council  
23          that, yes, this is what we want to do? I agree with  
24          you, we're not here to -- unless there's some dire  
25          financial impact, to change what the intent of the --

1 of the government here is. But I just want to have  
2 some clarity as to what that position is, because I'm  
3 hearing different things. I'm hearing, first of all,  
4 some unclarity on what the impact is and then I'm  
5 hearing the Finance people say we don't agree with  
6 this.

7 THE CHAIRPERSON: Ms. Wheeler?

8 MS. WHEELER: I can briefly just let you know  
9 about how many days that I had with David Sabuda before  
10 he went out on leave. And part of that was that there  
11 was a concern that there would be a financial impact.  
12 And I heard from Mr. Sabuda the ability to collect  
13 would be with a financial hardship of about \$5.4  
14 million. So that's really the only information I have  
15 to shed light on that issue is that the impact  
16 financially. That was per conversations with  
17 Mr. Sabuda.

18 THE CHAIRPERSON: And was the \$5.4 million,  
19 was that simply, if you took the \$500,000 or so that  
20 came between the date that the notices went out, the  
21 date of the moratorium and extrapolated that out some  
22 number of months; would that be the overall impact upon  
23 the water fund?

24 MS. WHEELER: I'm not quite sure. But, like  
25 I said, this is some information. I apologize. I

1 don't have the whole thing. But, like I said, these  
2 are just some of the conversations that we had  
3 surrounding the moratorium. I believe there was a  
4 recommendation not to act at all but just to wait to  
5 get the full information prior to the full impact being  
6 realized by the City.

7 THE CHAIRPERSON: Is Ms. Steele still here?

8 What is the likelihood, if we were to defer  
9 action on this until sometime later this month, that  
10 the Finance Department would be able to provide us with  
11 more details as to what the financial impact would be  
12 on the water fund?

13 MS. STEELE: I'd have to get with the  
14 Treasury Department downstairs and work with them to  
15 figure out what the impact would be. David Sabuda is  
16 expected back on Monday. And so we can work on it for  
17 you to get to that information, it wouldn't be any  
18 problem.

19 THE CHAIRPERSON: And are you able to  
20 provide, as well, the current balance of the water  
21 fund?

22 MS. STEELE: Yep.

23 THE CHAIRPERSON: Because I think  
24 Mr. Tarver's question is exactly getting as much detail  
25 as possible about the impact. So if someone says that

1           they -- they believe it's going to have an impact, we  
2           would like to have that quantified and know exactly  
3           what the impact is.

4                       MS. STEELE: Okay. When you speak of the  
5           balance in the water fund, are you speaking of cash  
6           balance, are you speaking of fund balance, revenue  
7           we're receiving, revenue we're billing or payments that  
8           are coming in or revenue that we're billing out? Can  
9           you give me a little bit --

10                      THE CHAIRPERSON: Well, I think it would be  
11           more than cash because I assume you're treating  
12           delinquencies as accounts receivable.

13                      MS. STEELE: Right.

14                      THE CHAIRPERSON: So you're accruing those  
15           amounts some number of months out?

16                      MS. STEELE: Right.

17                      THE CHAIRPERSON: So I think we would want to  
18           see the accruals as well?

19                      MS. STEELE: Yes.

20                      THE CHAIRPERSON: Okay.

21                      MS. STEELE: Do you know which day you're  
22           going to be back for a meeting?

23                      THE CHAIRPERSON: No. I mean, would that be  
24           satisfactory to you, Mr. Tarver --

25                      MR. TARVER: Yep.

1 THE CHAIRPERSON: -- to get additional  
2 information?

3 MR. TARVER: Yeah, sure.

4 MS. STEELE: Okay.

5 THE CHAIRPERSON: Without objection, then,  
6 we're going to -- Madam Mayor?

7 MAYOR WEAVER: Yeah. I just wanted to add  
8 that, so far, we have been honoring the moratorium and  
9 so we will continue to do that until you have the  
10 information that you need.

11 THE CHAIRPERSON: Thank you.

12 COUNCILMAN KINCAID: Mr. Chairman, there's  
13 just one point that I'd like to make.

14 THE CHAIRPERSON: Councilman?

15 COUNCILMAN KINCAID: There's one point that I  
16 forgot to -- to mention, that, of these properties,  
17 where the delinquent notices will go to, if these  
18 properties end up going to the Land Bank, back to the  
19 Genesee County, we get no reimbursement for those  
20 properties, neither for the taxes, nor for the unpaid  
21 lien on the water.

22 So -- and a number of properties every year  
23 go back to the County, to the Land Bank. And then we  
24 do not get reimbursed for those taxes or those liens  
25 that are placed on those properties. So that was

1 another motivation for us to approve the moratorium.

2 MR. TARVER: All right.

3 COUNCILMAN KINCAID: Thank you.

4 MR. TARVER: Thank you.

5 THE CHAIRPERSON: Understood.

6 We have a motion pending that has been  
7 seconded. If there's no objection, we will defer  
8 action on this matter until later this month.

9 MR. TARVER: No objection.

10 THE CHAIRPERSON: Without objection.

11 That takes us to Resolutions from the regular  
12 City Council meeting of May 22nd. Mr. Cline, please.

13 MR. CLINE: Beginning with Resolution 258,  
14 that is a grant application to the drinking Water  
15 Revolving Loan Fund. This specific resolution appoints  
16 the authorized representatives for the City to -- to  
17 handle the grant application.

18 We have Resolution 261, which is a change  
19 order with Dell Enterprises to add additional Microsoft  
20 licenses to the City in the amount of \$76,000.

21 And we have Resolution 262, which was to  
22 prequalify specific engineering firms until June 30th,  
23 2018, for the purposes of designing and developing road  
24 construction projects, specifically those three  
25 engineering firms are Fleis & Vandenbrink Engineering,

1 Rowe Engineering and Wade Trim.

2 Resolution 263 is the settlement of  
3 litigation with a Sara Wilson, in the amount of  
4 \$11,000.

5 I'm going to skip 264 for just a moment.

6 Resolution 265 is the reappointment of  
7 Christopher Flores to the Hurley Board of Hospital  
8 Managers.

9 Backing up, briefly, to Resolution 264. This  
10 has an amendment to the City Council Rules and  
11 Procedure. That was adopted by the City Council.  
12 However, the City attorney did not sign off on the  
13 Resolution of Adoption as to form, due to some -- some  
14 comments that she had.

15 It is my understanding that the City Council  
16 is redoing a part of that resolution. So you  
17 suggested, perhaps, that the Board may want to postpone  
18 action on this particular resolution until, perhaps,  
19 its next meeting so we can get a little more clarity on  
20 that. And just to note, for the record, Resolutions  
21 208 through 214 are the first reading of series of  
22 ordinance amendments regarding Purchasing the City  
23 Council is considering.

24 The RTAB doesn't specifically have to  
25 consider or approve the first reading of ordinances.

1 But, if those are adopted, you'll be seeing those in  
2 subsequent meetings. I just wanted to note those for  
3 the record.

4 THE CHAIRPERSON: Thank you.

5 MR. CLINE: And that's all.

6 THE CHAIRPERSON: Is there a motion that  
7 resolutions from May 22nd, excluding Resolution 264, be  
8 approved?

9 MR. TARVER: So move.

10 THE CHAIRPERSON: Is there support?

11 MR. NEWMAN: Support.

12 THE CHAIRPERSON: Motion's made and  
13 supported. Any discussion?

14 Those in favor, please say "aye".

15 BOARD MEMBERS: Aye.

16 THE CHAIRPERSON: Opposed?

17 Motion is adopted.

18 Next item of business is Resolution 295,  
19 which was the Biannual Budget for Fiscal Years 2018 and  
20 '19. This was on the agenda previously to be  
21 considered and approved at this meeting. Given the  
22 fact that there was a veto by the Mayor, action today  
23 would probably be premature. We would prefer to see  
24 how this is resolved between two branches of City  
25 Government.

1                   But this will afford us an opportunity to  
2                   become more familiar with the budget. And, in the  
3                   event that any of the RTAB members have questions about  
4                   aspects of the budget, this would be an opportunity to  
5                   ask those questions.

6                   I would note this on a high level: That our  
7                   primary interest is in making sure that the budget is  
8                   adopted before 12:01 on July 1, making sure that the  
9                   budget, whatever budget is adopted, is balanced and  
10                  that it has in it all the requirements of the Uniform  
11                  Budget Accounting Act. So we're not going to really  
12                  inquire or scrutinize particular appropriations or  
13                  amounts of money. Those decisions are to be made by  
14                  the Mayor and City Council.

15                  We simply want to make sure the balanced  
16                  budget is in place by the time the City starts its  
17                  fiscal year.

18                  Gentlemen, any questions about --

19                  MR. TARVER: I had a --

20                  MR. NEWMAN: Yes.

21                  MR. TARVER: -- question. I'm sorry --

22                  MR. NEWMAN: No --

23                  MR. TARVER: -- Paul.

24                  MR. NEWMAN: -- go ahead.

25                  MR. TARVER: I just want to understand the

1 scale of the difference between the Council and the  
2 Mayor. I think there was a \$70,000 item that was part  
3 of the difference?

4 COUNCILMAN KINCAID: No, Mr. Tarver. There  
5 was some changes in the budget that was proposed by the  
6 Mayor and then it was amended by City Council and  
7 approved by City Council.

8 I can assure you that this budget is  
9 balanced. There is no money that was taken out of any  
10 fund reserve, other than the sewer fund. And we made a  
11 small transfer into the Treasury Department to be able  
12 to cover the percentage of cost of the employees that  
13 would now become full time. That was the only budget  
14 transfer within this budget.

15 We de-appropriated money out of the General  
16 Fund, out of the Administrator's budget and out of the  
17 Police Chief's budget, for a position that had been  
18 funded for more than the last five years. They had  
19 never been expended. And so we de-appropriated that  
20 amount of money and we reduced money in the City  
21 Administrator's budget.

22 And we've had conversations. The  
23 Administration received copies of this budget on  
24 Friday, prior to the June 5th meeting. And I made  
25 myself available to the Administration and/or the

1 Mayor, or a combination of both, and never received  
2 any -- well, I take that back.

3 I had communication with the City  
4 Administrator on Friday. I think we had a very  
5 positive conversation, not that we necessarily agreed  
6 but we talked about some conceptual things that could  
7 potentially happen and do a budget amendment in the  
8 future as we had done last year during the budget. And  
9 that was a brief conversation on the telephone.

10 I received a call from the Mayor's Chief of  
11 Staff on Monday. We sat down and met for about a half  
12 hour prior to us adopting the budget. And I went  
13 through the budget changes with them and explained  
14 where the funding was going. And I wanted to make sure  
15 that this community that is financially strapped  
16 already didn't have a tax increase and we were able to  
17 eliminate a tax increase for waste collection this  
18 year.

19 I want to make sure that the funding for  
20 community centers for our portion of funding that is  
21 used for a percentage of grants or match money in the  
22 millage that we received, that they had some seed money  
23 to be able to offset those programs.

24 I wanted to make sure -- we have a huge issue  
25 with blight in our community. We wanted to add

1 additional funding to the Blight Department so that the  
2 Blight Department could lease or rent equipment on a  
3 day-to-day basis, which they had no funding to do;  
4 front-end loaders, Bobcats, brush hogs, things of that  
5 nature, to clean up dumping sites, things of that  
6 nature. We also put enough funding in to take a  
7 part-time position in Blight and make them a full-time  
8 position.

9 And those two areas that we cut do not affect  
10 public safety at all; that was a concern of City  
11 Council, not to affect public safety of both Police and  
12 Fire. And so those were the proposed changes that we  
13 have done. And the budget is balanced.

14 And I'd be more than happy to answer any  
15 questions on this budget that you may have this  
16 afternoon.

17 And, again, as I stated earlier, the  
18 Administration, the Mayor, waited until 2:00 yesterday,  
19 the final hour that the City Council could take this  
20 issue up.

21 THE CHAIRPERSON: Councilman, I'll interrupt  
22 you just to say this is not really the forum to be --

23 COUNCILMAN KINCAID: No, I just -- we could  
24 have dealt with this on Monday.

25 THE CHAIRPERSON: The Council was fully

1 within its rights to adopt the budget --

2 COUNCILMAN KINCAID: Right.

3 THE CHAIRPERSON: -- that it did. The Mayor  
4 was fully within her rights to veto.

5 COUNCILMAN KINCAID: And we're going to have  
6 a special meeting tomorrow.

7 THE CHAIRPERSON: So we expect you two  
8 branches to hammer out whatever differences you have  
9 and come back with a budget for us.

10 COUNCILMAN KINCAID: Right.

11 THE CHAIRPERSON: I did have one question  
12 with regards to, if I'm reading this correctly, for  
13 Proposed Fiscal '18, an estimated revenue appropriation  
14 of \$53,162,571 and expenditure appropriation of  
15 \$51,664,436. So it appears, if I'm reading this  
16 correctly, for Fiscal Year '18, appropriate  
17 expenditures exceed appropriate revenues. Am I reading  
18 that correctly?

19 COUNCILMAN KINCAID: That appropriations  
20 exceed revenue? No.

21 THE CHAIRPERSON: That the expenditure  
22 appropriation exceeds what's called the revenue  
23 appropriation.

24 COUNCILMAN KINCAID: No.

25 THE CHAIRPERSON: By about 400--and so

1           thousand dollars --

2                       No, it's revenues based upon this --

3                       Well, same thing with Fiscal '19. They  
4           appear to exceed -- perhaps I'm misreading this. But  
5           what's called, "Total expenditure appropriation" for  
6           both the fiscal years exceed total revenue  
7           appropriation.

8                       COUNCILMAN KINCAID: Those numbers are the  
9           numbers that were presented to the City Council in the  
10          original budget. We did not change those numbers.

11                      THE CHAIRPERSON: And you're welcome to  
12          approach to take a look at what I'm looking at.

13                      COUNCILMAN KINCAID: I'm sorry?

14                      THE CHAIRPERSON: You're welcome to approach  
15          to take a look at what I'm looking at.

16                      COUNCILMAN KINCAID: Yeah, I'd ask the  
17          Finance Department to respond. They're the ones who  
18          provided the revenue and the expenditure sheet and we  
19          never changed those.

20                      MS. STEELE: Which fund are you referring to.

21                      (Mr. Jones approached and whispered to  
22                      The Chairperson.)

23                      THE CHAIRPERSON: Okay. I stand corrected  
24          from Mr. Jones. It appears to be fine for Fiscal '18  
25          but it appears to be the expenditures exceed revenues

1 for Fiscal '19 by about 800-and-some thousand dollars.

2 MS. STEELE: Yes, that's correct.

3 THE CHAIRPERSON: So can that be explained?

4 In effect, Fiscal Year '19 is an unbalanced  
5 budget, it appears to be, based on these notes.

6 MS. STEELE: It would probably be revenues in  
7 the fund balance would be the difference, the 800,000.  
8 But I'll have to check -- I'll have to look at the  
9 worksheets.

10 THE CHAIRPERSON: Okay.

11 Other questions, gentlemen?

12 MR. NEWMAN: None from me.

13 MR. TARVER: No.

14 THE CHAIRPERSON: Mayor, any comment before  
15 we leave this item?

16 MAYOR WEAVER: I just wanted to set a couple  
17 things straight, for the record, when we were talking  
18 about the changes made for the budget. I want the  
19 record to show that I had no problem with the money  
20 that was sent to the senior centers for Brennan and for  
21 half of Brennan. We are not in dispute about that. We  
22 support the senior centers a hundred percent. And I  
23 just want that on the record.

24 We do have some concerns about public safety  
25 and we also have some concerns about public health and

1 capacity. And I think the Chief of Police wants to  
2 address that.

3 CHIEF JOHNSON: Good afternoon, Gentlemen.

4 THE CHAIRPERSON: Chief Johnson.

5 CHIEF JOHNSON: I went to the people in Flint  
6 and I asked them to support a millage and that was to  
7 keep police officers on the street because we were so  
8 understaffed and I got -- it was put in its position.  
9 And the citizens came out and they voted for that  
10 millage to support the vacant property.

11 And I assured them, and I had to ask for  
12 their support, that the money would be used for the  
13 Police Department not like it was last time where the  
14 money was -- something else was done with the money. I  
15 wasn't here. I don't know what they're talking about.  
16 But the Administration, at that time, knew where the  
17 money went. And the people came out and supported what  
18 I asked them to do.

19 I'm personally walking around here feeling  
20 like I've been kicked in my stomach, I've been stripped  
21 and I've been cheated. And I feel like I lied to the  
22 citizens in this City. The police officers on the  
23 Flint Police Department are underpaid, understaffed,  
24 wearing five or six hats, they're working with  
25 primitive equipment.

1                   Equipment that we do have, the cruisers we  
2                   should have gotten rid of years ago, 200,000 miles on  
3                   them instead of 50- and 60-, like every other police  
4                   department has. I've asked for cars, I haven't gotten  
5                   any -- only one car. Just received five cars recently  
6                   and it's going to take about another three months to  
7                   outfit those vehicles with police equipment and  
8                   everything.

9                   I stand before you and listening to people  
10                  talk and I'll tell you I always wondered why the City  
11                  was under such a black cloud and we could never get off  
12                  the ground. And when you stand here and hear people  
13                  say things that's not true or manipulating the facts or  
14                  giving you a false impression of what's going on in the  
15                  City, it's mind-blowing. And I've always wondered why  
16                  the City is in the position it is. And now I see why.  
17                  That's the problem. My staff can deal with the  
18                  streets; we've been dealing with them. Our numbers  
19                  speak for themselves.

20                  When I first started this position, we were  
21                  the number one in murder rate capital, we were number  
22                  one in most of the violent crimes in any City. Now  
23                  we're not in the top 10. As a matter of fact, we're  
24                  about 85 percent less today.

25                  In the Criminal Department, these officers

1 are holding that front line like I've asked them to do.  
2 And I feel like I've cheated them also. I'm asking  
3 them to do a job where they're severely underpaid,  
4 understaffed and the equipment that they're using is  
5 outdated or it's not even halfway functional.

6 When I go to City Council and ask for certain  
7 things, I don't get it -- the majority of the time, I  
8 don't get it. And where I've gotten it from is from  
9 the public, like yourself. I went out to the public or  
10 my officers did, they went out to private entities and  
11 they've gotten cars for free that we can use from  
12 dealerships that they've given us, no charge.

13 We've asked for grants from certain places  
14 and we've gotten those grants, too. None of the money  
15 came out of our general budget, none of it came from  
16 City Council that I've asked for in private sessions  
17 with each one of them, some of them more so than  
18 others.

19 But I stand before you right now and I really  
20 don't know what to say because I feel like I've just  
21 been cheated and I feel like the City of Flint citizens  
22 have been cheated and have been misled, lied to,  
23 disrespected. And, like I said before at the City  
24 Council, my battle's on the street.

25 But, if you want to bring me in your house,

1 I'll be in your house. And I guess I'm at your front  
2 door now and it's not going to change anything and it's  
3 not going to go away. As a matter of fact, when I get  
4 finished, it's going to be a shame that you brought me  
5 into your house to clean up because I'm going to clean  
6 it up, as long as I stay in this uniform. So I say to  
7 you, RTAB, every dollar that that Police Department  
8 has, they need in their budget.

9 The entity they're trying to give it to is  
10 not even a City entity, it's not City employees, it's a  
11 private company. They're not part of the Police  
12 Department and they're not City employees, like  
13 Mr. Kincaid will lead you to believe.

14 I feel like we're standing here talking about  
15 a total lie and it's hard to stand here before you and  
16 even try to address you with the truth. I just told  
17 you my part of the truth. These officers can speak for  
18 themselves. We got captains, lieutenants, sergeants  
19 and officers. They speak for themselves. They know  
20 what's going on over there. We got -- we have union  
21 members here, top union officials in the Police  
22 Department. Have I said -- have I told them -- have I  
23 lied?

24 POLICE PERSONNEL: No, sir.

25 CHIEF JOHNSON: And I don't want -- I don't

1 intend to. I'm going to stand on the line for the  
2 officers, I'm standing on the line for Flint because  
3 they're going to get the job that we need to get done  
4 for the citizens. But, working with this  
5 Administration has been total hell.

6 THE CHAIRPERSON: Chief --

7 CHIEF JOHNSON: So I ask you -- I don't know  
8 if you have anything to do with keeping that money in  
9 our budget but we need that money for the Police  
10 Department. And I ask, if you can leave it there, then  
11 please do. And, if you don't have anything to do with  
12 it, I thank you for your time.

13 I'm sorry for interrupting you, sir.

14 THE CHAIRPERSON: No. I just wanted to say,  
15 we appreciate your comments. We appreciate having  
16 members of the Department here. As I indicated  
17 earlier, we don't involve ourselves in particular  
18 aspects of the budget. We're going to leave that in  
19 the able hands of the Mayor and City Council. We hope  
20 that they will resolve whatever differences they have.

21 As I mentioned earlier, the City Council had  
22 every right under the Charter to adopt the budget it  
23 did and the Mayor had every right to veto the budget  
24 because she had differences. Those differences have to  
25 be worked out.

1           As long as they're worked out before the new  
2           fiscal year starts, the RTAB is prepared to meet and  
3           consider whatever budget is brought to us by both of  
4           the branches of City government. And we hope whatever  
5           they bring to us will be satisfactory to you and  
6           members of your Department and residents of the City of  
7           Flint.

8           CHIEF JOHNSON: I doubt very seriously that  
9           that's going to be, not with this current  
10          administration.

11          THE CHAIRPERSON: Well, I'm an optimist.

12          CHIEF JOHNSON: I pray to God it happens.

13          MR. TARVER: Do you mind?

14          THE CHAIRPERSON: Go ahead.

15          MR. TARVER: I just want to be clear. You're  
16          talking about the \$70,000 --

17          CHIEF JOHNSON: Yes, sir.

18          MR. TARVER: -- PAL Corporation expenditures?

19          CHIEF JOHNSON: Yes, sir. It's not our  
20          police activity. We have our own police activity.

21          MR. TARVER: And I just want -- my earlier  
22          question dealt with trying to understand the financial  
23          scale of the items that were included in the Mayor's  
24          veto.

25          What's the -- what's the financial size of

1 this difference? You know, we have an advisory  
2 capacity, also. We can't say, you know, "Adopt this,  
3 don't adopt that." But, from an advisory standpoint,  
4 you know, you're talking about \$70,000 out of a \$54  
5 million budget, that's 1/1000, you know, of the budget.

6 So, from an advisory standpoint, I would say,  
7 you know, as Mr. Headen has indicated, you guys got to  
8 get together. And, you know, you're not talking about  
9 a major part of the budget and yet it seems to be  
10 holding things back. It seems to be holding the City  
11 back and that's tragic.

12 CHIEF JOHNSON: It is. It is.

13 MR. TARVER: So I would just advise you all  
14 that, you know, not get held up over things that are  
15 not central to your mission, to your budget and, you  
16 know, 70,000 out of 54 million is -- whichever way you  
17 go, you know, that's not going to -- from a fiscal  
18 standpoint, that's not going to have any impact on the  
19 City.

20 CHIEF JOHNSON: Thank you, sir.

21 THE CHAIRPERSON: Thank you, Chief.

22 MS. PUGH: Good afternoon. My name is  
23 Pamela Pugh and I am the Mayor's Chief Public Health  
24 Advisor for the City of Flint. And I know that you're  
25 going to tell me the same thing that you just told

1 Chief Johnson, that you --

2 THE CHAIRPERSON: Are you addressing the  
3 budget?

4 MS. PUGH: I am addressing the budget. And I  
5 know that you all are here to look at the bottom line.  
6 But one of the things that I just want to encourage us  
7 to think about is that, when we look just at the bottom  
8 line, we don't always get to all or some of the  
9 underlying issues that can get us into really hefty  
10 health and financial disasters.

11 And one of those issues -- and I shared this  
12 with Councilman Kincaid and the Council President, is  
13 that we're removing a budget item that we're required  
14 to do through consent order from the Department of  
15 Environmental Quality. And that is to monitor the  
16 Bray Road dump site. And so there are chemical  
17 contaminants that are there that need to be monitored.  
18 And those chemical contaminants are adjacent to  
19 properties as well as to a recreation site.

20 So, as we're looking at a balanced budget, we  
21 also have to look at, what are the implications if we  
22 wipe out the funding for our staff to be able to do  
23 what it is that we know to do to monitor and protect  
24 the public's health? So I just wanted to bring that  
25 up.

1                   One of the other pieces that I will bring  
2                   that up is Communications. I was really happy that the  
3                   Mayor had Communications in her budget because we know  
4                   one of the biggest issues that we have is communicating  
5                   how residents were made healthy, what good health tips  
6                   are, as well as where we are with this water crisis.  
7                   So wiping out the Communications Budget doesn't help us  
8                   to be able to communicate with the residents.

9                   As we look at, from a public health  
10                  standpoint, I consider myself being here from a health  
11                  well policy standpoint. So I get to work with my  
12                  counterparts and make sure that they're looking at the  
13                  health and well-being of residents, as they're making  
14                  decisions that they wouldn't typically consider the  
15                  help of residents.

16                  And so, as Chief Barton -- or I'm sorry, as  
17                  Chief Johnson was talking, I'm reminded that, even with  
18                  the PAL program that will be with the City of Flint,  
19                  that's an opportunity for us to work together. We have  
20                  funding through a recast grant that we're able to work  
21                  together and so we're looking at how do we address the  
22                  public health as well as the safety and be able to work  
23                  together to ensure the health and well-being of the  
24                  community.

25                  So I just, again, just ask that we think more

1           than just about the bottom lane, whether in the black  
2           or the red, but how can the budget decisions that we're  
3           making have other implications that will take us out of  
4           the black, as well as the health implications.

5                         THE CHAIRPERSON: Our point was not that  
6           we're concerned just with the bottom line. Our point  
7           was we're not the appropriate forum --

8                         MS. PUGH: Right.

9                         THE CHAIRPERSON: -- to iron out differences  
10          between the budget. That's a quintessential  
11          administrative operational function for the City's  
12          elected officials, which we are not.

13                        And so I hope, in whatever forum is the most  
14          appropriate, that these discussions continue. I think  
15          everyone has made good points, you, Chief Johnson and  
16          others. But they need to be made to each other within  
17          the confines of City Hall --

18                        MS. PUGH: Okay.

19                        THE CHAIRPERSON: -- to arrive at a  
20          resolution, not to this particular Board.

21                        MS. PUGH: Okay. I mean, I just, you know,  
22          in these public settings, I just, you know, with  
23          everyone -- again, I'm new. This is a new position.  
24          I'm just making sure that we add that public health  
25          component into all of our discussions because we do

1 know that, if we don't consider those things right now,  
2 then, down the line --

3 And so, yes, I do understand. I wasn't  
4 saying that you don't care about anything other than  
5 that but I just wanted to make sure that we're thinking  
6 about these things.

7 THE CHAIRPERSON: Thank you.

8 MS. PUGH: Thank you.

9 MR. TARVER: Mr. Headen.

10 THE CHAIRPERSON: Yes? Mr. Tarver.

11 MR. TARVER: I'll just pose a question. This  
12 is on a procedural point. The City is obligated to  
13 produce a budget by July 1st. What happens if they  
14 don't?

15 THE CHAIRPERSON: Well, if the City has no  
16 budget in place by 12:01, July 1, then there's no legal  
17 authority to spend anything. And the -- our Department  
18 has taken the position in the past, any expenditures  
19 that might occur in a situation like that would be a  
20 personal liability from whoever in the City authorized  
21 the expenditures. We've not raised that issue, I  
22 think, specifically with Flint. It's simply been a  
23 general interpretation of what the law provides, in  
24 general.

25 So, as a bottom line, there would be no

1 authorization to spend until a budget was, in fact, in  
2 place. And "in place" would mean it would also have to  
3 be approved by this Board.

4 MR. TARVER: Okay. Thank you.

5 MR. JONES: And Mr. Headen and RTAB members,  
6 I just wanted to highlight a couple things that you've  
7 already heard. Councilman Kincaid is correct; we did  
8 have a conversation on the Friday before and we did  
9 talk about some of the changes to the budget. I wanted  
10 to make sure that it's clear that a change or reducing  
11 money from the City Administrator's budget does have  
12 larger impact on other areas of the City.

13 One of the things that you heard Dr. Pugh  
14 talk about is the Bray Road project in which the City  
15 of Flint has a consent order with the DEQ to do some  
16 cleanup there. So that's one of the areas that we are  
17 playing a critical role in making sure that we are  
18 engaging others in the City Hall, as far as outside of  
19 the City, to understand the ramifications of that but  
20 also to secure the resources to really move forward and  
21 be in compliance on that consent order.

22 In addition to that, there are many other  
23 areas within the City that we have serious -- we must  
24 give attention to. And one of the items is there are  
25 35 bridges in the City of Flint in which three of them

1           are in serious or critical condition. And so what  
2           we're doing through the City Administrator's office is  
3           convening the impact officials as well as officials  
4           within the City to understand what needs to happen in  
5           order to address the areas there so that the City of  
6           Flint is not facing a fatality or some other issue that  
7           will have financial implications.

8                         And so I just really want you to understand  
9           that a reduction to the City Administrator's budget,  
10          while it seems insignificant in the amount of the  
11          reduction, some of the larger financial implications  
12          based on the work that would not happen could have  
13          serious financial implications on the City.

14                        And so we intend to continue to have dialogue  
15          with the City Council. But we want to make sure it  
16          understands that, if we neglect some of these areas,  
17          that there will be serious financial concerns to the  
18          City of Flint, not to mention the chance that there  
19          could be a fatality that would really bring a black  
20          cloud over the City. Thank you.

21                        THE CHAIRPERSON: Thank you. I believe that  
22          reasonably concludes discussion about the budget.

23                        There were two resolutions, Ms. Wheeler, that  
24          you asked to have accelerated for, from Monday's City  
25          Council meeting. Could you provide us with more detail

1           regarding those resolutions, including resolution  
2           numbers?

3                       MS. WHEELER: Yes. And I do have the signed  
4           one by City Council. The first one is Resolution  
5           170326. This is -- the resolution appears with the  
6           understanding between the City of Flint and the Flint  
7           Police Officers Association had come to an agreement  
8           with regard to promotion and, also, bereavement pay.  
9           And this has been executed by the City Administrator,  
10          the Chief and the President of the Flint Police Officer  
11          Association, Kevin Smith and by our Chief Negotiator.  
12          And we would ask that that would be approved.

13                      THE CHAIRPERSON: 170326?

14                      MS. WHEELER: Yes.

15                      THE CHAIRPERSON: And is there any  
16          possibility of a Mayoral veto?

17                      MS. WHEELER: No. No, there is none. This  
18          is something that the Mayor, I can safely say, can work  
19          with, absolutely.

20                      MAYOR WEAVER: I've been waiting for it.

21                      THE CHAIRPERSON: Is there a motion that  
22          Resolution 326 from the Regular City Council meeting on  
23          Monday be approved?

24                      MR. FERGUSON: So move.

25                      MR. TARVER: Support.

1 MS. WHEELER: Thank you.

2 THE CHAIRPERSON: Motion's made and seconded.

3 Is there any discussion?

4 Those in favor of the motion, please say  
5 "aye".

6 BOARD MEMBERS: Aye.

7 THE CHAIRPERSON: Opposed?

8 Motion is adopted.

9 Next, please.

10 MS. WHEELER: The next one is 170324. This  
11 is resolution approving the settlement of Brian Bond  
12 versus the City of Flint. It's Genesee County Circuit  
13 Court Case Number 16-106471-CZ. And this was a  
14 discrimination/retaliation claim that were to be  
15 resolved.

16 THE CHAIRPERSON: And we had a copy of that  
17 previously?

18 MS. WHEELER: Yes. It's -- there was a  
19 summary, also, of the one case that was submitted to  
20 the RTAB through Mr. Cline.

21 THE CHAIRPERSON: And it contains all  
22 necessary signatures?

23 MS. WHEELER: Yes, it does. That one does as  
24 well. I have that one here. It was submitted to you,  
25 City Council, again, approved, and also approved

1 through the City Administration. And there would not  
2 be any objections from the Mayor either on that one.

3 THE CHAIRPERSON: Is there a motion that  
4 Resolution 324 from the Regular City Council meeting of  
5 this past Monday be approved?

6 MR. TARVER: So move.

7 THE CHAIRPERSON: Support?

8 MR. NEWMAN: Support.

9 THE CHAIRPERSON: Motion's been made and  
10 supported. Any discussion?

11 Those in favor of the motion, please say  
12 "aye".

13 BOARD MEMBERS: Aye.

14 THE CHAIRPERSON: Opposed?

15 Motion is adopted.

16 MS. WHEELER: Thank you.

17 THE CHAIRPERSON: Thank you. Brings us to  
18 City Administrator items.

19 Mr. Jones.

20 MR. JONES: I'm actually going to defer to  
21 the Deputy Financial Officer, Dawn Steele, who will  
22 share the budget -- the actual budget and expenses.

23 THE CHAIRPERSON: Thank you.

24 MS. STEELE: Good afternoon, again. On a  
25 monthly basis, we provide Administration and yourselves

1 with our budget to actual report. The one you have  
2 before you is through April 30th, our current fiscal  
3 year. Our fiscal year does end on June 30th so we are  
4 nearing our fiscal year end.

5 As I went through and produced this document,  
6 I reviewed it, as I review it always on a monthly  
7 basis. At the present time, there are no issues with  
8 our budget within the line items or expenditures.  
9 Revenues usually lag a little bit behind, anyways,  
10 because we're on an accrual base. So there will be  
11 revenues that come back in July and August that will be  
12 accrued back.

13 And so, at this time, Finance feels  
14 comfortable with the budget. We think we'll be coming  
15 in under budget or close to what we've budgeted for the  
16 year and so we don't foresee any major issues.

17 If you guys have any questions or comments,  
18 I'd be happy to answer.

19 THE CHAIRPERSON: Questions for Ms. Steele?

20 MR. TARVER: No.

21 MR. NEWMAN: No.

22 MS. STEELE: Okay.

23 THE CHAIRPERSON: By objection, we'll  
24 consider the budget to actual for April to be received.

25 I did have one item for Mr. Jones still.

1                   This concerns a status report, if you can  
2                   provide one. At the March 8th meeting of the RTAB, one  
3                   of the items on the agenda was a position description  
4                   for the Chief Financial Officer position. And, if you  
5                   recall, we took no action on that position description  
6                   at your request to take that back and make revisions to  
7                   it and resubmit it to the RTAB at a future date once  
8                   those changes have been made.

9                   Will the City be resubmitting that position  
10                  description to us in the near future?

11                  MR. JONES: We do plan to resubmit that. Let  
12                  me -- we can commit to submit that next month.

13                  THE CHAIRPERSON: I just want to make sure  
14                  that the -- any selection process doesn't proceed too  
15                  far down the road, when we have not, in fact, approved  
16                  the position descriptions.

17                  MR. JONES: Yeah, we will not make selections  
18                  until we have that approved by the RTAB.

19                  THE CHAIRPERSON: I think it's not just  
20                  making a selection, it's even going too far down the  
21                  road of advertising the position until we actually have  
22                  a position description submitted to us and approved.

23                  MR. JONES: Let me ask a question. It sounds  
24                  like there will be another meeting either next week or  
25                  the week after next.

1 THE CHAIRPERSON: Sometime between now and  
2 the end of the month.

3 MR. JONES: Okay. Let -- let me plan to have  
4 that before you for that meeting, if that's okay.

5 THE CHAIRPERSON: Thank you.

6 MR. JONES: Okay. Thank you.

7 THE CHAIRPERSON: The next item is Public  
8 Comment.

9 Mr. Cline.

10 MR. CLINE: Three individuals have signed up  
11 for comment. Today we will start with Arthur Woodson.

12 THE CHAIRPERSON: The room sure cleared out.  
13 Hopefully nothing was said.

14 MR. WOODSON: Yeah, because they didn't want  
15 to hear what I had to say, probably.

16 Let's start by saying that everything that  
17 you heard was political and that \$70,000 would not hurt  
18 our budget. And, if the budget is balanced, then that  
19 should be the end of it, RTAB should not step in.

20 The liens? The liens, \$5.8 million. Why  
21 would you want us to send the property over there when  
22 we will not get anything back in return? But you can  
23 work with the people.

24 The upsetting part about it is that you can  
25 at least talk to the people. First they say don't pay

1 the sewer portion of your bill, then they advocating  
2 while running for -- to be the Mayor not to pay your  
3 bills. But, as soon as you get in office and you're  
4 able to afford to pay your own bill, you want to start  
5 shutting off people and now you want to do a lien.

6 Then, in the moratorium, in the news, she  
7 said that she was waiting for the City Council to do  
8 the moratorium. Now, all of a sudden, you see them  
9 here fighting against that.

10 Now, it's a lot of lies that goes on, true  
11 enough. But, at the same time, just like I'm doing a  
12 recall, they used a tool that defenseless women use  
13 when they're abused and tried to put a Personal  
14 Protection Order on me so that I wouldn't be able to do  
15 the recall. It's a lot of different things going on  
16 here.

17 Mr. Mays, Councilman Mays, he works for their  
18 administration so he's going to get up there and speak  
19 to them. It's a lot of political maneuvering going on  
20 in the election season but, at the same time, don't  
21 play with the people.

22 Now PAL that's over at Haskell, the Chief  
23 don't want them doing it over there so he's against  
24 that. You're going to stop a budget just because of  
25 your own personal issues? It's not beneficial to the

1 people.

2 Those are kids over there, kids been going  
3 there for years and you're going to stop it just  
4 because -- you're going to stop a budget just because  
5 of that? Thank you very much.

6 THE CHAIRPERSON: Thank you.

7 MR. CLINE: The second individual is  
8 R.L. Mitchell.

9 MR. MITCHELL: Good evening, RTAB --

10 THE CHAIRPERSON: Mr. Mitchell.

11 MR. MITCHELL: -- again. And welcome aboard,  
12 Mr. Davis.

13 MR. TARVER: Tarver.

14 MR. MITCHELL: Tarver?

15 MR. TARVER: Tarver.

16 MR. MITCHELL: Tarver.

17 MR. TARVER: Thank you.

18 MR. MITCHELL: Yeah. Thank you for getting  
19 down to the bottom line of tabling this political stuff  
20 going on in Flint, to give Mr. Sabuda time to come back  
21 on Monday with the financials. Really, see, it, like  
22 they said, no finance -- no cash in sight prevents  
23 fights. As you can see, that can go either way.  
24 Prevent fights but fights have already started. Like  
25 the President, Black lives do matter; that could go

1           either way.

2                       Like the DUD -- or like Black Lives Matters,  
3           like Black lives do not matter because they will be  
4           dealt with, like, in our way, negro raggedy-ass.  
5           That's what they're really saying.

6                       But yet to be made -- let me -- war. As you  
7           can see, I just left Lansing and right now they was out  
8           enjoying themselves, about five of them got popped on  
9           the golf field -- or the baseball field, whatever it  
10          was, 50 miles to the White House.

11                      Republican -- about this water situation in  
12          Lansing, a group of kids, they realized -- they're only  
13          12 years old, they realized they're messing up their  
14          uterus and the government didn't even want to present.  
15          They asked me did I have anything to do with that, I  
16          said no, these kids is the one that -- I just got done  
17          in Lansing with -- I don't want to explain this to you  
18          because you're already --

19                      It's the bottom line, RTAB, thank you for  
20          dealing with Flint -- with the Mayor's situation, sir,  
21          Mr. Frederick and this Mayor from Burton that you can't  
22          get communication with the Flint Mayor. This woman  
23          mayor, like, she ain't got -- thank you, sir.

24                      THE CHAIRPERSON: Thank you, Mr. Mitchell.

25                      MR. CLINE: Eric Mays.

1                   COUNCILMAN MAYS: Hello, Mr. Newman and  
2 Mr. Tarver. Good to see you.

3                   I think I hear Mr. Ferguson on the  
4 speakerphone. If so, hello to Ferguson.

5                   Mr. Headen, you know I've told the RTAB I  
6 don't believe in Emergency Manager law. I've stayed  
7 away from the RTAB for a period of time. So today I  
8 came back because, you know, I'm obligated to try to do  
9 what's best for residents in the City of Flint,  
10 particularly when I have the position. I'm normally,  
11 lately, the minority opinion in the middle of my  
12 Council colleagues.

13                   Mr. Headen, I understand, clearly, the budget  
14 process. And, when we met downstairs, when the RTAB  
15 first formed, they said, as long as everything goes  
16 smooth and you don't cross the yellow line, with the  
17 analogy of a bus going down the street, the RTAB would  
18 pretty much stay in its lane.

19                   Where, in my opinion, because of politics,  
20 because of a lack of understanding, intelligence, time  
21 spent by the Council scrutinizing the budget and other  
22 things, doing our full legislative responsibility --  
23 our legislative responsibility can include subpoenas,  
24 investigative hearings and getting good information  
25 before we make decisions. That's not being done.

1                   Rule changes, not following rules, it's  
2                   embarrassing to me. But I want you to say --  
3                   understand this: As I follow the rules and get out of  
4                   here in 20 seconds, Mr. Tarver, just keep what I -- but  
5                   that best practices of 15 percent, the fund balance  
6                   getting the deficit that you pointed out, that's what  
7                   we're looking at. And that's what I think people are  
8                   overlooking. We've got to really show a fund balance,  
9                   a rainy-day fund. Thank you.

10                   THE CHAIRPERSON: Thank you.

11                   Mr. Cline, anyone else?

12                   MR. CLINE: No one else.

13                   THE CHAIRPERSON: Gentlemen, any further  
14                   business?

15                   MR. TARVER: None from me.

16                   MR. NEWMAN: No.

17                   THE CHAIRPERSON: If not, then, if there's no  
18                   objection, we stand adjourned.

19                   (Meeting was concluded at 3:30 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. I do further certify that the foregoing transcript, consisting of (66) pages, is a true and correct transcript of my said stenographic notes.

\_\_\_\_\_  
Date

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

