

WSAC Meeting Notes

10-12-22

Meeting was called to order at 5:34 PM

Faith Groesbeck, Manager of Office of PH, City of Flint, was present to take minutes, film and do roll call.

Council members present:

- Dr. Benjamin Pauli
- Dr. Lawrence Reynolds
- Dr. Shawn McElmurry
- Dr. Laura Sullivan
- Dr. Nancy Love

Faith announced quorum.

Council members absent included:

- Gina Smith
- Wendy Braun
- Nayyirah Shariff
- Jaron Houston

Members of the community present who provided public comment were:

- Claire
- Bethany
- Lakeisha

Patterson, Brittany and another gentleman were present, but did not provide public comment.

Invited guests, Michael Brown, Director of Department of Public Works, City of Flint, and Robert Widigan, Director of Finance, City of Flint, were unable to attend, due to a family emergency and illness, respectively.

Ben P. proposed amendments to the agenda to 1.) Strike Rob's presentation and 2.) Not call Mike for questions, as this presented a safety concern. Mike had stated that he would be available to answer questions over the phone.

Dr. Lawrence made a motion to change the agenda to remove Rob's presentation, which was seconded by Shawn and passed by WSAC members.

A conversation about how to get questions answered without City of Flint staff members Rob and Mike present ensued, resulting in a decision, introduced through a motion made by Laura and seconded by Nancy, to collect questions from Rob and Mike in writing, requesting a response in two weeks, and posting their answers to the City of Flint website as amended meeting minutes. This passed.

A conversation ensued that resulted in the submission of questions for Mike Brown and Rob Widigan.

Questions for Michael Brown:

1. What is the status of “construction” on Miller Rd.?

Ongoing, the house and street water lines/mains are being switched from the old main to the new on the second half of Miller. After all the water line work is done they will start with replacing the street.

2. What is the current status of Lead Service Line Replacement? (Ongoing)

- a. Have extensions been applied for and what are the status of those extensions?

The City has asked for an extension from EGLE and EGLE has forwarded their request to EPA. Awaiting EPA’s decision. A second request to EGLE for their remaining monies to be extended has also been forwarded to the correct agencies. Awaiting decisions.

- b. Have restorations resumed?

Restorations have resumed. Being done as supplies are available and the weather cooperates.

- c. Have service line replacements been resumed and if so, how many?

Service lines are being done as quickly as possible and as weather permits. Over 100 more declinations have taken place as well as more homes being added into the list to be excavated. I am waiting for an update of how many homes have been excavated, with partial replacement or full replacement and I will be penning a letter to EPA hopefully by Nov 15. or so.

- d. Is there an estimated date of completion and if so, when? No.

- e. Who should residents contact if their restoration needs to be completed or was completed, but not in acceptable manner?

They can come to The Mayor’s Office in City Hall in person or call the clerk, Tiffany Rodriguez: (810) 237-2010. They can visit the [Service Line Replacement](#) page on the City of Flint website where they can complete a form, call or email the department directly.

- f. What is the city’s outreach strategy moving forward for (1) residents who have not opted in, (2) residents who have opted out, (3) landlords who have not opted in?

If someone opts out, we don’t contact them again. If someone cannot be reached, we continue to attempt to contact them, even though the State of Michigan only requires 3 attempts. Many of these homes have had 7-9 attempts before May of 2022. We are currently exploring best practices used in other communities to better engage residents, landlords and tenants in the process. But only single family homes can be paid for in the WIIN funding.

3. What is the status of the Lime Pit (AKA "[lime-sludge lagoon](#)")?

The Lagoon is not in use for sludge anymore. It is fully fenced in and the water drainage of the lagoon goes to a sanitary line that goes to the wastewater plant. The site is monitored for many compounds including PFAS and EGLE is involved in determining where the compounds are from, on or off site, and what will be done in the near future.

4. What are the water rate studies that have been done for Flint in the past decade? Please provide links or attachments.

This statewide assessment was conducted and published by the University of Michigan in 2021: [Water Service Affordability in Michigan: A Statewide Assessment](#). A rate study was initiated with Tetra Tech in 2021, but was never finalized or presented to City Council.

5. What is the most current water loss rate and how was this analysis conducted?

The City conducts leak detection, employing an outside contractor every two years. We are due to go and do another study in 2023.

6. What loans and/or grants are currently being explored and applied for? Have any additional loans and/or grants been received? Does the department have adequate staff and expertise on hand to identify and apply for loans and grants?

The City is applying for the SRF loans/grants for both Drinking Water and Clean water by Nov. 1 for 2024. The DPW department does not have any staff to look for or apply for grants unless the cost center manager can find or hear of grants that are available. If anyone knows of some, we would like to hear about them.

Questions for Rob Widigan:

1. How are water usage charges calculated?

The cost of water is based upon two factors: readiness to serve, or the cost of maintaining facilities, and commodities, or the cost of the water itself. Water is charged by CCF, or a hundred cubic feet, which is approximately 748 gallons. Flint water costs are tiered in "declining blocks," meaning each block of water used costs less. This was put in place to support industries, like General Motors. In the City of Flint, water and sewer costs are combined by a split [exact percentages of the split unknown]. The assumption is that sewage use is equal to water use. We do not have flow meters installed for sewage, but a resident can request that one can be installed, at their expense, and pay for sewage more accurately. This may be advisable if the resident is using a lot of water to water a lawn or garden.

Water usage costs are published in the [Master Fee Schedule](#) every year and approved by City Council. These are the current water usage costs:

WATER - SEWER BILL RATES	
Metered Water-per 100 cubic feet (748 gallons)	
City - 0 to 35 CCF (one CCF =748 gallons)	\$6.19 per CCF
City - 35 to 2,000 CCF (one CCF =748 gallons)	\$5.94 per CCF
City - Over 2,000 CCF (one CCF =748 gallons)	\$4.76 per CCF
NonCity - 0 to 35 CCF (one CCF =748 gallons)	\$9.29 per CCF
NonCity - 35 to 2,000 CCF (one CCF =748 gallons)	\$8.94 per CCF
NonCity - Over 2,000 CCF (one CCF =748 gallons)	\$7.14 per CCF

(pg. 15)

[Source: Phone conversation with Jeanette Best, Wastewater Treatment Facility Supervisor, on 10-25-22.]

2. How are service charges calculated?

Additional information from Amanda Trujillo, City of Flint Treasures, regarding the 2004 ordinance ([§ 46-52.1 CALCULATION OF RATES.](#)), “To my knowledge, the ordinance has not been updated since 2004.” Regarding rate calculations, “The last time rates were changed was in August 2015. Rates were changed in July 2015 and then again in August due to a lawsuit. The rates have remained the same since August 2015. The finance director (or someone in his/her staff) would be the one to update the rates and have them published.” Regarding the release of the Financial Statement for Year Ended June 30, 2022, “That report comes out in December.”

Residential City service fees are charged by the size of the meter:

Water "Readiness to Serve" Service Charges	
Residential City - Meter Size 5/8"x3/4"	\$ 28.69
Residential City - Meter Size 1"	\$ 58.15
Residential City - Meter Size 1 1/2"	\$ 58.15
Residential City - Meter Size 2"	\$ 58.15

Question for City of Flint Attorney, Bill Kim.

1. When will the lawsuits pertaining to water rate increases be resolved? (“The City also is involved in long-standing litigation regarding the City’s water rate in state court [...] After a recent consolidation and amended complaint, this case is currently on appeal in the Michigan Court of Appeals after the City received a favorable ruling in the trial court that significantly reduced the exposure of the City. Once the appeal has been resolved, the City expects to engage in discovery, dispositive motion practice, and potentially trial. Settlement has been explored but Plaintiffs expectations have reflected an unrealistic expectation of recovery.” Source: [City of Flint, Michigan, Financial Statement for Year Ended June 30, 2021](#), pg. 83)

Per an email from William Kim on Oct., 17, 2022, “The ongoing litigation is still ongoing. I see no resolution in the near future.”

Question for Scott Dungee, Water Treatment Plant Supervisor:

1. How and where will the City of Flint conduct testing after the re-connection to GLWA water?

The City of Flint has its own laboratory staff that oversees the routine (7 days a week 365 days year) testing of both potable water sources coming into the Flint WTP. The next step for the Lab is to test the blended water to verify the water has been augmented correctly and it meets the CoF requirements set by the EPA and EGLE before the water enters the Dist. System. After all of the morning testing is done the Lab staff heads out into the CoF to continue pulling samples to be tested and compared to the morning baseline testing that was done in the morning to look for any problems within the distribution system.

- a. At how many locations will water be tested? (e.g. how many sites in the north side, east side, etc.)

I have attached the RTCR Coliform Monitoring Plan set by EGLE. This testing plan shows 25 sites and will explain the purpose of this program and how we implement it.

(Chlorine

Free, Chlorine total, Bac-T results only)

- b. Will the testing be conducted in homes or another location?

All testing will be done at pre-selected sites determined by the CoF with the approval of the state. We will only test residential homes if they have a noticeable problem with their water and they submit a complaint.

- c. Please provide a list of what will be tested (e.g. Ph, chlorine, biological indicators etc.).

I have attached two lists of sites tested throughout the CoF. The 1st list is the RTCR plan which tests for Chlorine residuals followed up with Bac-T's. The 2nd list will be the Weekly Enhanced Water Quality Parameter Monitoring which will test for everything else that the city is required to do and document on a Monthly Operational report.

- I. Temperature
- II. Conductivity
- III. pH
- IV. Total Alkalinity
- V. Calcium
- VI. Hardness
- VII. Turbidity
- VIII. Iron
- IX. Chloride
- X. Sulfate

XI. Phosphate

XII. Lead

d. How often will testing occur?

The 2022 Monitoring Schedule that I attached shows all of the testing required by EPA and EGLE.

e. At which laboratory will the testing occur and who is providing oversight? (e.g. City of Flint only, EGLE, MDHHS, etc.)

The CoF has a lab that does most of the routine testing that we are certified for through the EGLE lab certification program in which we get inspected every 3 years.

I listed the items that the CoF is not licensed to perform so we send them to the EGLE state lab.

I Lead/Copper

II Total Trihalomethanes

III Haloacetic Acids

f. What data will be presented to the public to facilitate confidence that the transition will not negatively impact the quality and safety of water? Where will this information be available?

As far as I know we don't post daily numbers to the public, and all communications are done by Caitie O'neal.

g. Please provide a comparison of how the process of testing differs from when the water was initially switched to KWA and a justification for any differences.

Well first of all, the secondary water lines always have a slight flow of 500,000 gallons a day so we know the quality of the water in that pipeline can stay fresh and ready to go at any given moment. The lab department does a full water quality work up every morning to establish the water quality is ok. Second thing is Operation Foreman is here 24-7 365 days a year to monitor both water sources supplying flint. As soon as the foreman realized the GLWA water source had been compromised he shut down the incoming GLWA pipeline and started to feed the CoF with its stored water from Cedar St. reservoir. Once GCDC was notified of the problem they ramped up their production of potable water to accommodate the CoF demands.

There was no additional testing done because the extra testing that was required during the Control Station 2 project that initiated the first long term transition set a precedent that the water quality never changed during this time frame so we should have no problems this time either so no additional testing was performed at this time.

Now when we transitioned back to GLWA, the pipeline had been dormant for approximately 7

weeks so we had to flush for five days continuously at a flow of 7 MGD until we were able to get a Chlorine Free residual of 1.2 PPM before Bac-T testing could be done. Once we established the Chlorine residual the lab completed a full water quality work up to verify the water was potable and safe for consumption. EGLE also required us to pull additional samples to be sent to the EGLE lab to be tested for Disinfection By-Products that could have accumulated due to a high concentration of Organics and a high concentration of Chlorine. The CoF is still waiting on the results but EGLE allowed us to transition back to GLWA as the primary water source.

2. Please provide the Standard Operating Procedure (SOP) for switching a water source.

Question for Faith:

1. How is water sampling/testing performed at multi-unit buildings?

We don't normally use apartment buildings for lead and copper testing, but if we don't know that it's been stagnate for 6 hours, then the results aren't valid. The testing must be coordinated with all tenants to perform. It's so difficult to do that it wasn't written into the law. Tenants can still do residential testing from the tap (2-btl kit). We went through the records for apartment buildings in Flint, and none of them were lead (ductile iron). [Source: Erin Russell, EGLE, Phone Conversation with Faith on 10-20-22]

2. Provide Michigan Department of Health and Human Services reporting requirements for Legionella, as well as correspondence from the Genesee County Health Department confirming that there haven't been any confirmed cases in the City of Flint since July 28th, 2022.

Per email from 8-23-22, 11:52 AM from Kaleigh Blaney, Genesee County Deputy Health Officer, they were unable to find evidence of a Legionella Case that was referenced at the City Council meeting. Per another email, dated 8-25-22, 9:25 AM, the possible case of Legionella referenced in a [press release](#) dated 7-27-22 was not confirmed and all hospital site testing was negative.

3. What is the composition of the water lines servicing schools in the City of Flint and how is water tested? Are there any regulations in place at the state or federal level?

We went through all the schools for over a year (monthly, then quarterly). Only GISD consented to continued testing. The issue is at the fixtures. [I] support the Filter First bills, which would solve the problem, but the filters would still need to be maintained. Some have lights, others are
connected to Smart Phones. [Source: Conversation with Erin Russell from EGLE with Faith on 10-20-22]

Here are some additional documents that I referenced to find information:

- Arcadis Report (April 2018) - [WATER DISTRIBUTION SYSTEM OPTIMIZATION PLAN Flint Drinking Water Distribution System Optimization](#)

- [City of Flint Water Department: Technical, Management and Financial Capacity Status Update \(September, 2020\)](#)
- [City of Flint Water Department: Technical, Management, and Financial Capacity Status Update March 2022](#)
- [City of Flint, Michigan, City Council Meeting Agenda, September 16, 2020, pg. 3: Resolution 20037, referencing a contract for \\$151,528.00 with \[American Leak Detection\]\(#\), as requested by DPW](#)
- [MDHHS Legionellosis Surveillance and Outbreak Protocol, Version 3.1, 2021](#)
- “Filter First” legislation refers to [SB 185](#) and [184](#), which [passed the State Senate on Sept. 20th](#). They now have to pass the State House to become law.

Faith G. requested feedback on what strategies might address the approximately 600 refusals for residential lead service line replacement.

Dr. Reynolds:

- A lot of landlords are not registered with the City of Flint and are getting paid under-the-table, so there is a disincentive to cooperating with the gov’t to get the service line replaced
- Tracking down absentee landlords is a challenge
- The City of Flint doesn’t do rental inspections, so there is no incentive to making the house safer

Claire:

- Residents are not being treated well by City of Flint employees
- City of Flint staff are not wearing masks into the home
- There isn’t mutual respect, e.g. residents get their water shut off if they don’t get their meter replaced, but if the City hasn’t changed their service line or adequately performed restorations, residents have little recourse

Bethany: “They took my black dirt and replaced it with clay – nothing will grow in it!”

Water Affordability:

Claire has been working on this issue, she provided a background of her involvement, including having attended a national conference and collecting >500 signatures of residents in support of an equitable water payment policy. She described the income-based system implemented in Detroit, and elsewhere, funded at the federal, state and regional levels. Lakeesha stated that we can’t even begin to figure out a plan to create an equitable water payment policy until we know how much the water costs.

Members shared that a subcommittee could be created, but that the Open Meetings Act limits participation to only two individuals.

WSAC Membership:

Ben stated that several people have expressed interest in serving on the WSAC. Lottie and Qiana, City of Flint employees, suggested that the current members create criteria for membership. The current

criteria is to submit a resume or CV. Ben and other members suggested that this may present an unnecessary burden to those who do not have such a document already. Ben has five applications, one of whom, Patterson, was present at the meeting. Laura suggested that Ben reach out to interested parties and request a statement of commitment. Faith mentioned an attendance requirement. Laura suggested that this consist of termination of membership after missing three consecutive meetings. Ben stated that these changes could be added to the bylaws, once those are created. Dr. Lawrence emphasized the important contribution of academic partners, in addition to Flint residents.

Next Meeting:

Shawn requested a regular meeting schedule to ease logistics, as well as stating the commitment to those interested in joining in advance. Claire and Laura expressed a desire to hold the next meeting prior to the election, however a compromise was made to post answers to questions before then. A decision was made to hold the next meeting on **January 31st, 5:30 to 7 PM**, in the Flint Public Library.

Meeting adjourned at 7:15 PM.