



**CITY OF PONTIAC**  
**OFFICE OF THE EMERGENCY MANAGER**

**LOUIS H. SCHIMMEL**

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**Dated: October 28, 2011**

**ORDER NO. S-107**

**RE: Reorganization of City Departments**

The **Local Government and School District Fiscal Accountability Act (Act 4 of 2011)** in **Section 17(1)** empowers an Emergency Manager to issue the orders the Manager considers necessary to accomplish the purposes of the Act and any such orders are binding on the local officials or employees to whom they are issued. **Section 19(1)** provides that an Emergency Manager may take on one or more additional actions with respect to a local government in receivership: “**(f)** Examine all records and books of account, and require under the procedures of the uniform budgeting and accounting act, 1968 PA 2, MCL 141.421 to 141.440a, or 1919 PA 71, MCL 21.41 to 21.55, or both, the attendance of witnesses and the production of books, papers, contracts, and other documents relevant to an analysis of the financial condition of the unit of local government; **(g)** Make, approve or disapprove any appropriation, contract, expenditure; **(n)** Consolidated or eliminate departments of the local government or transfer functions from 1 department to another and appoint, supervise, and, at his or her discretion, remove administrators, including heads of departments other than elected officials; **(o)** Employ or contract for, at the expense of the local government and with the approval of the state financial authority, auditors and other technical personnel considered necessary to implement this act...”; and **19(2)** ... the authority of the chief administrative officer and governing body to exercise power for and on behalf of the local government under law, charter, and ordinance shall be suspended and vested in the Emergency Manager...”.

**It is hereby ordered:**

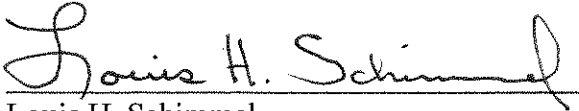
- (1) The position of City Clerk is vacated effective immediately. The duties of the Clerk shall be combined with the duties of the Assistant to the Emergency Manager or as otherwise designated by the Emergency Manager.
- (2) The position of the Director of the Department of Public Works is vacated effective immediately. The duties of the Director of the Department of Public Works shall be delegated to United Water or as otherwise designated by the Emergency Manager.
- (3) The vacant position of Master Mechanic is eliminated effective immediately.

- (4) All duties and responsibilities as performed by the Law Department shall be outsourced to the law firm of GIARMARCO, MULLINS & HORTON, P.C., effective November 11, 2011. As part of this outsourcing, the position of Executive Assistant to Mayor and City Attorney is eliminated effective immediately. In addition, the in-house position of City Attorney is vacated effective November 11, 2011.

**The Order shall have immediate effect.**

Copies of the documents referenced in this Order are to be maintained in the offices of the City Clerk and may be reviewed and/or copies may be obtained upon submission of a written request consistent with the requirements of the Michigan Freedom of Information Act and subject to any exemptions contained in that state statute and subject to any exemptions allowed under that statute (**Public Act 442 of 1976, MCL 15.231, et. seq.**).

This Order is necessary in order to carry out the duties and responsibilities required of the Emergency Manager as set forth in the **Local Government and School District Fiscal Accountability Act (Public Act 4 of 2011)** and the contract between the State of Michigan and the Emergency Manager.



Louis H. Schimmel  
City of Pontiac  
Emergency Manager

cc: State of Michigan Department of Treasury  
Mayor Leon B. Jukowski  
Pontiac City Council  
Cathy Square, Director Human Resources