



CITY OF PONTIAC
OFFICE OF THE EMERGENCY MANAGER
LOUIS H. SCHIMMEL

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3133
Fax: (248) 758-3292

Dated: June 21, 2012

ORDER NO. S-210

**RE: Approval of the Abolishment of the Amended Brownfield
Plan for the Bloomfield Park Project**

**TO: Sherikia Hawkins, City Clerk
John Naglick, Finance Director
Carl Johnson, Plante & Moran
Brownfield Redevelopment Authority**

The **Local Government and School District Fiscal Accountability Act (Public 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: **g)** Make, approve or disapprove any appropriation, contract, expenditure...; **(dd)** Exercise solely, for and on behalf of the local government, all other authority and responsibilities of the local government of the chief administrative officer and governing body concerning the adoption, amendment and enforcement of ordinances or resolutions of the local government...; 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.

Based upon the recommendations made by the City of Pontiac Brownfield Development Authority and based upon the lack of comment at a public hearing held on June 5, 2012, the Emergency Manager has concluded that it is in the best interest of the City of Pontiac to order a Public Hearing to abolish the Amended Brownfield Plan for the Bloomfield Park Project for the reasons set forth in the Resolution below:

WHEREAS, pursuant to the Amended Plan, the Authority entered into a Development and Reimbursement Agreement “made and entered into” as of December 16, 2004 (the “Development Agreement”); and

WHEREAS, the Developer has failed to comply with the obligations assumed by it in the Development Agreement including but not limited to:

- (1) Failure to develop the property;
- (2) Failure to pay taxes on the property;
- (3) Failure to reimburse the City for costs and expenses; and,
- (4) Failure to reply to the City on inquiries regarding the project.

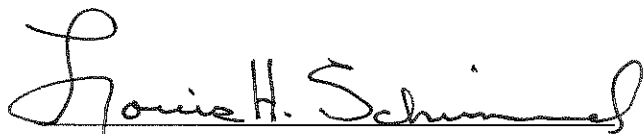
It is hereby ordered:

The Amended Brownfield Plan for the Bloomfield Park Project is abolished.

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