



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

47450 Woodward Avenue
Pontiac, Michigan 48342
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Dated: April 17, 2013

ORDER NO. S-262

RE: Resolution of Understanding, M1 Concourse Project

TO: Sherikia Hawkins, City Clerk
Joseph M. Sobota, Director, Department of Community Development

The Local Financial Stability and Choice Act (Act 436 of 2012/MCL 141.15411, et. seq.) in Section 10 empowers an Emergency Manager to issue orders to the appropriate local elected and appointed officials and employees, agents, and contractors of the local government a Manager considers necessary to accomplish the purposes of the Act and any such orders are binding on the local elected and appointed officials and employees, agents, and contractors of the local government to whom they are issued.

Section 12(1) of the Act provides that “[a]n emergency manager may take 1 or more of the following additional actions with respect to a local government that is in receivership, notwithstanding any charter provision to the contrary: (ee) [t]ake any other action or exercise any power or authority of any officer, employee, department, board, commission, or other similar entity of the local government, whether elected or appointed, relating to the operation of the local government. The power of the emergency manager shall be superior to and supersede the power of any of the foregoing officers or entities.”

WHEREAS, the City of Pontiac has a Brownfield project commonly known as the M1 Concourse Project that it would like to have reviewed and processed by the Oakland County Brownfield Redevelopment Authority; and,

WHEREAS, the City of Pontiac has a Brownfield Authority but desires to have the Oakland County Brownfield Redevelopment Authority handle the M1 Concourse Project; and,

WHEREAS the Oakland County Brownfield Redevelopment Authority was created by Oakland County pursuant to MCL 125.2651 et seq. to assist jurisdictions like the City of Pontiac that do not have their own Brownfield Authority; and,

WHEREAS the Oakland County Brownfield Redevelopment Authority is prepared to assist the City of Pontiac by reviewing the proposed M1 Concourse Project; and,

WHEREAS the City of Pontiac will have the opportunity to provide public comment on any Brownfield plan (including the amount of the administrative fee to be collected and the amount captured for the revolving loan fund) before it is finally adopted by the OCBRA and/or the Oakland County Board of Commissioners;

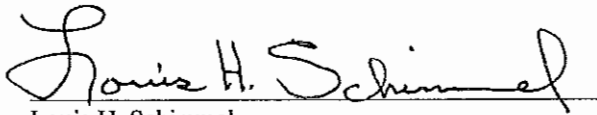
It is hereby ordered:

1. The City of Pontiac requests that the OCBRA undertake review of the M1 Concourse Project.
2. The City of Pontiac acknowledges and understands that (OCBRA or County) intends to collect certain administrative fees and capture certain taxes for its revolving loan fund, which will be specified in detail in any Brownfield Plan before it is finally adopted.
3. The Director, Department of Community Development shall forward a copy of this order to the appropriate parties.

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 effective as indicated and is necessary to carry out the duties and responsibilities required of the Emergency Manager as set forth in the Local Financial Stability and Choice Act (Act 436 of 2012/MCL 141.15411, et. seq.) and the contract between the Local Emergency Financial Assistance Loan Board 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