



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
47450 Woodward Avenue
Pontiac, Michigan 48342
(248) 758-3274
(248) 758-3195

Michael Stampfler
Emergency Financial Manager

Dated: July 12, 2010

ORDER NO. S-1

RE: Insurance and Indemnification

TO: Larry Marshall, HR Director
Tamantha Green, Risk Management Administrator

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: ... (f) **Make, approve, or disapprove** any appropriation, contract, expenditure, ... [Emphasis Added].

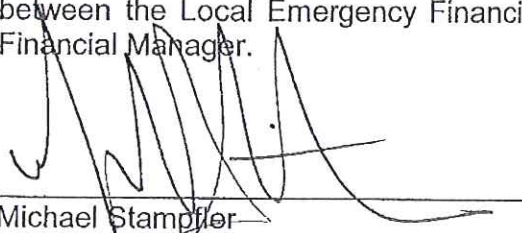
Pursuant to and in consideration of the contract dated June 15, 2010 by and between the Local Emergency Financial Assistance Loan Board of the Department of Treasury, State of Michigan, and the Successor Emergency Financial Manager for the City of Pontiac, a copy of which is attached hereto and incorporated by reference, the City of Pontiac hereby agrees to indemnify, defend, pay on behalf of, hold harmless and provide liability insurance protection to Michael Stampfler, for any and all demands, claims or losses which may be asserted or claimed against him from the date of his appointment to the expiration of the applicable statute of limitations. The City of Pontiac is further directed to procure and maintain for the Emergency Financial Manager, at the expense of the City, such worker's compensation, general liability and motor vehicle insurance as may be provided to elected and appointed officers, employees, volunteers and others working for the City as set forth in the attached Contract.

The Order shall have immediate effect.

Copies of the documents referenced in this Order are located in the offices of the Director and Department of Human Resources and the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampf
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council
Yvette Talley, City Clerk
Mark J. Hotz, City Attorney

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CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

Dated: August 9, 2010

ORDER NO. S-2

RE: Instructions regarding Judgments against City Placed on Tax Rolls
Pursuant to MCLA 600.6093

TO: Mark Hotz, City Attorney
Sheryl Stubblefield, Acting City Treasurer
Yvette Talley, City Clerk
Tamantha Green, Risk Management Administrator

The **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** in **Section 141.1219** empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1)** provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "...**(f)** Make, approve or disapprove any appropriation, contract, expenditure...".

It is hereby ordered:

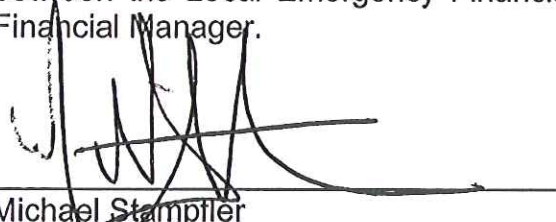
- (1) The City Attorney is to advise by August 12th, in writing, all attorneys representing the City that:
 - (a) Any and all litigation matters settled on behalf of the City shall be accomplished by way of judgment or consent judgment only, unless otherwise instructed by the Emergency Financial Manager, in writing;
 - (b) The parties in litigation to whom the judgment or consent judgment is issued shall be advised, in writing, to present the judgment to the City pursuant to MCLA 600.6093 (attached as Exhibit A);

- (c) The City will follow procedures as stated in MCLA 600.6093 to pay the judgment.
- (2) The City Attorney is designated in the capacity of the "assessing officer" for the limited purpose of receiving judgments against the City filed pursuant to MCLA 600.6093. The Acting City Treasurer is to prepare procedures for the City to comply with MCLA 600.6093 in the event a judgment is presented to the City, within ten (10) days and submit the procedures to the Emergency Financial Manager. The procedures shall include the dates by which the Treasurer's Office would be able to "collect and pay the judgment to the owner thereof or his attorney, on or before the date when the tax roll and warrant shall be returnable," as provided in MCLA 600.6093.
- (3) The Risk Management Administrator shall take all measures and steps to insure the City complies with the notice delivered to the Michigan Municipal Risk Management Authority (attached as Exhibit B).

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfler
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council

C

Michigan Compiled Laws Annotated Currentness

Chapter 600. Revised Judicature Act of 1961 (Refs & Annos)

▣ Revised Judicature Act of 1961 (Refs & Annos)

▣ Chapter 60. Enforcement of Judgments (Refs & Annos)

→ 600.6093. Collection of judgment against township, village, city or county

Sec. 6093. (1) Whenever judgment is recovered against any township, village, or city, or against the trustees or common council, or officers thereof, in any action prosecuted by or against them in their name of office, the clerk of the court shall, on the application of the party in whose favor judgment is rendered, his attorney, executor, administrator, or assigns, make and deliver to the party so applying a certified transcript of the judgment, showing the amount and date thereof, with the rate of interest thereon, and of the costs as taxed under the seal of the court, if in a court having a seal. The party obtaining the certified transcript may file it with the supervisor of the township, if the judgment is against the township, or with the assessing officer or officers of the city or village, if the judgment is against a city or village. The supervisor or assessing officer receiving the certified transcript or transcripts of judgment shall proceed to assess the amount thereof with the costs and interests from the date of rendition of judgment to the time when the warrant for the collection thereof will expire upon the taxable property of the township, city, or village upon the then next tax roll of such township, city, or village, without any other or further certificate than the certified transcript as a part of the township, city, or village tax, adding the total amount of the judgment to the other township, city, or village taxes and assessing it in the same column with the general township, city, or village tax.

The supervisor or assessing officer shall set forth in the warrant attached to the tax roll each judgment separately, stating the amount thereof and to whom payable, and it shall be collected and returned in the same manner as other taxes. The supervisor or assessing officer, at the time when he delivers the tax roll to the treasurer or collecting officer of any township, city, or village, shall deliver to the township clerk or to the clerk or recording officer of the city or village, a statement in writing under his hand, setting forth in detail and separately the judgment stating the amount with costs and interest as herein provided, and to whom payable. The treasurer or collecting officer of the township, city, or village, shall collect and pay the judgment to the owner thereof or his attorney, on or before the date when the tax roll and warrant shall be returnable. In case any supervisor, treasurer, or other assessing or collecting officer neglects or refuses to comply with any of the provisions of this section he shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not more than \$1,000.00 and costs of prosecution, or imprisonment in the county jail for a period not exceeding 3 months, or by both fine and imprisonment in the discretion of the court. Nothing herein contained shall be construed to exclude other remedies given by law for the enforcement of the judgment.

(2) In any case where a judgment is recovered against a village which, by reason of holding no municipal elections, or for any other reason has no available assessing officer within the jurisdiction of the court wherein the judgment is rendered, the owner of the judgment or any person knowing the facts, acting on behalf of the owner,

may make an affidavit showing that the village against which a judgment is pending and unsatisfied, has no available assessing officer within the jurisdiction, and file it with the clerk of the court wherein the judgment is written. The officer who makes the certified transcript shall attach thereto a copy of the affidavit, the correctness of which copy shall also be certified to in the certificate. Any party receiving the certified transcript of judgment and affidavit may file it with the supervisor of the township in which the village, having no assessing officer is located. The supervisor shall assess the amount of the judgment with costs and interest, upon the taxable property of the village, which is without an assessing officer, and thereafter the same steps and proceedings shall be had in the premises as though it were a judgment against the township within which the village is located, except that it shall be assessed against the property within the corporate limits of the village only.

(3) When judgment is recovered against any county or the board of supervisors or any county officer in an action prosecuted by or against him in his name of office, the judgment unless reversed shall be levied and collected as other county charges, and when collected shall be paid by the county treasurer to the person to whom the judgment has been adjudged upon the delivery of a proper voucher therefor.

HISTORICAL AND STATUTORY NOTES

2000 Main Volume

Source:

P.A.1961, No. 236, § 6093, Eff. Jan. 1, 1963.

C.L.1948, § 600.6093.

C.L.1970, § 600.6093.

P.A.1974, No. 297, § 1, Eff. April 1, 1975.

The 1974 amendment, in subsec. (1), deleted "the justice of the peace rendering such judgment, if in a justice's court at any time after the time for appealing has elapsed, or" preceding, and deleted "if such judgment is rendered in a court of record and has not been reversed," following, the phrase "the clerk of court" in the first sentence of the first paragraph, and substituted "\$1,000.00" for "\$100.00" in the next to the last sentence of the second paragraph; in subsec. 2, substituted "clerk of the court wherein the judgment is written" for "clerk of the circuit court wherein said judgment is, or with the justice of the peace having custody of the docket wherein such judgment is written" in the first sentence; and substituted "the judgment unless reversed" for "the same, unless reversed" in subsec. (3).

For effective date provisions of P.A.1974, No. 297, see the Historical Note following § 600.223.

Prior Laws:

R.S.1846, c. 13, § 32.



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

August 9, 2010

Mr. Craig Manser
Ibex Insurance Agency
30600 Northwestern Hwy., Ste 250
Farmington Hills, MI 48334

Re: City of Pontiac / MMRMA
City of Pontiac Judgments and Consent Judgments

Dear Mr. Manser:

Effective immediately, no settlement of any litigation, no judgments or consent judgments entered against the City of Pontiac should be paid by the Michigan Municipal Risk Management Authority, unless specifically authorized in writing, by me in my capacity as Emergency Financial Manager of Pontiac.

Please find attached a copy of my Order S-2 to certain City officials regarding this matter.

Should you have any questions regarding this correspondence, please feel free to contact me or Dennis Cowan of Plunkett Cooney at your earliest convenience.

Sincerely,

Michael L. Stampfler
Emergency Financial Manager

Attachment

cc: Dennis G. Cowan
Tamantha Green, Risk Management Administrator

CITY OF PONTIAC, MICHIGAN

**ORDER NO. 2 OF MICHAEL L. STAMPFLER
EMERGENCY FINANCIAL MANAGER**

TO: ALL DEPARTMENT DIRECTORS, MANAGERS AND SUPERVISORS

EFFECTIVE DATE: JULY 30, 2010

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take 1 or more additional actions with respect to a unit of local government in which a financial emergency has been determined to exist including: ... (b) Amend, revise, approve, or disapprove the budget of the unit of local government, and limit the total amount appropriated or expended during the balance of the financial emergency. (f) Make, approve, or disapprove any appropriation... expenditure ... or the filling of any vacancy in a permanent position by any appointing authority. (g) Review payrolls or other claims against the unit of local government before payment. (j) Employ or contract for, at the expense of the unit of local government and with the approval of the local emergency financial assistance loan board, auditors and other technical personnel considered necessary

In my capacity as the Emergency Financial Manager for the City of Pontiac I had previously approved the following agreements, contracts, payments and wire transfers.

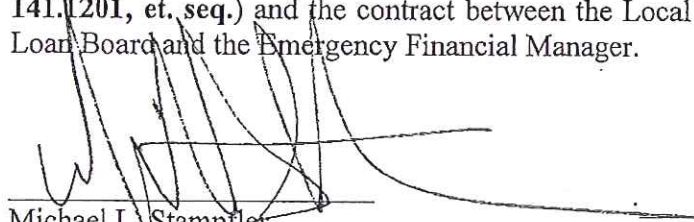
1. Financial Services Contract between the City of Pontiac and Municipal Financial Consultants Incorporated. Contract in the amount of \$15,000.00 payable upon completion of the tasks outlined therein. Signed on July 8, 2010.
2. Engagement Agreement between the Emergency Financial Manager of the City of Pontiac and Plunkett Cooney, P.C. for legal services. Contract payment terms as stated therein for services to be provided on an as needed basis. Signed on July 6, 2010.
3. Invoice in the amount of \$5,440.00 for payment for financial consulting assistance services provided by Geni Giannotti. Dated July 14, 2010.
4. Invoice in the amount of \$5,440.00 for payment for financial consulting assistance services provided by Geni Giannotti. Dated July 28, 2010.
5. Wire Transfer Authorization for Humana Insurance Company for July, 2010 payment for health care services in the amount of \$123,354.24. Signed on July 13, 2010.

6. Wire Transfer Authorization for Cambridge Integrated Services Group, Inc. for Workers Compensation for the period of 6/8/10 through 6/21/10 in the amount of \$709.74. Signed on July 13, 2010.
7. Wire Transfer Authorization for Broadspire Services Inc. for Workers Compensation for the period of 6/26/10 through 6/30/10 in the amount of \$5,881.83. Signed on July 13, 2010.
8. Wire Transfer Authorization for Broadspire Services Inc. for Workers Compensation for the period of 6/19/10 through 6/25/10 in the amount of \$22,613.45. Signed on July 13, 2010.
9. Wire Transfer Authorization for Unum Insurance for STD/LTD insurance premium for July 2010 in the amount of \$5,349.98. Signed on July 13, 2010.
10. Wire Transfer Authorization for Broadspire Services Inc. for Workers Compensation for the period of 6/6/10 - 6/11/10 in the amount of \$14,244.89. Signed on July 13, 2010.
11. Wire Transfer Authorization for Broadspire Services, Inc. for Workers Compensation for the period of period 6/12/10-6/18/10 in the amount of \$5,899.62. Signed on July 13, 2010.
12. Wire Transfer Authorization for Humana Insurance Company for June 2010 retiree medical benefits in the amount of \$358,434.53. Signed on July 13, 2010.
13. Wire Transfer Authorization for Broadspire Services, Inc. for Workers Compensation Service Fees for the 3rd Quarter of 2010 in the amount of \$9,740.00. Signed on July 13, 2010.
14. Wire Transfer Authorization for Broadspire Services Inc. for Workers Comp High Cost Vouchers in the amount of \$40,603.23. Signed on July 13, 2010.
15. Wire Transfer Authorization for Broadspire Services Inc. for Workers Comp Excess Fee for June 2010 in the amount of \$1,750.00. Signed on July 13, 2010.
16. Wire Transfer Authorization for Standard Insurance Company for June 2010 Premium for Life Insurance in the amount of \$27,460.79. Signed on July 29, 2010.
17. Wire Transfer Authorization for US Bank for Debt Service Payment for August, 2010 in the amount of \$143,500.00. Signed on July 29, 2010.

18. Approval of the Holiday Advance Payroll for Police & Fire Dispatchers Association, Pontiac Police Officers Association and Pontiac Police Supervisors Association. Signed on July 13, 2010.
19. City of Pontiac Form 5 authorizing payment to Capital Title Insurance Company in the amount of \$9,050.53 for the Block Grant Home Program for Downpayment Assistance. Signed on July 29, 2010.
20. Personnel Requisition for Tele-Van Driver to replace an employee who was terminated. Signed on July 20, 2010.
21. Payroll Authorization Status form for Joseph Clark, parking maintenance aide, lay-off due to reduction in work force. Signed on July 14, 2010.
22. Payroll Authorization Status form for Mark Rusesky, firefighter, for a Step increase per applicable collective bargaining agreement. Signed on July 15, 2010.

Copies of the documents referenced in this Order are located in the offices of the Federal Programs Division, the Finance Department, the Department of Human Resources, and/or the Law Department 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 (**Public Act 442 of 1976, MCL 15.231 et. seq.**) and subject to any exemptions contained in that state statute or other applicable law(s).

This Order is effective immediately. Upon receipt of a copy of this Order please review the records in your departments/divisions and confirm that all of the items outlined above have been processed and/or implemented. This Order is necessary to carry out the duties and responsibilities required of the Emergency Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael L. Stampfer
City of Pontiac
Emergency Financial Manager

Dated: July 30, 2010

xc: State of Michigan Department of Treasury
Local Emergency Financial Assistance Loan Board
Mayor Leon B. Jukowski
Pontiac City Council
Yvette Talley, City Clerk

CITY OF PONTIAC, MICHIGAN

ORDER NO. 3 OF THE EMERGENCY FINANCIAL MANAGER

To: ALL DEPARTMENT DIRECTORS, MANAGERS AND SUPERVISORS

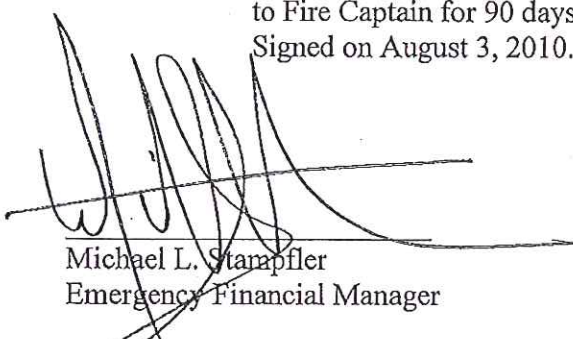
Effective Date: August 6, 2010

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: ... (b) Amend, revise, approve, or disapprove the budget of the unit of local government, and limit the total amount appropriated or expended during the balance of the financial emergency. (f) Make, approve, or disapprove any appropriation, ..., expenditure, ...creation of new position....filling of vacancies (i) Notwithstanding the provisions of any charter to the contrary, consolidate departments of the unit of local government or transfer functions from 1 department to another ... [emphasis added]....(j) Employ, contract for,with approval of the emergency loan board, auditors and other technical personnel considered necessary

In accordance with the statute referenced herein I have caused the following to be completed:

1. Contract with Home Renewal Systems for transactions involved in the NSP 1 program, costs for this contract are to be paid for by the NSP Grant funds awarded to the City of Pontiac. Signed on July 30, 2010.
2. Contract with Integrated Management Systems for an audit of the contract between the City of Pontiac and Veolia for trash hauling services. Total cost not to exceed \$9,325.00. Signed on August 2, 2010.
3. Wire Transfer Authorization for Broadspire Services Inc., for Workers Compensation Weekly Wire for the week of 7/3/10-7/9/10. \$9,751.63. Signed on August 3, 2010.
4. Wire Transfer Authorization for Cambridge Integrated Serv. for Workers Compensation period of 6/22/10-7/2/10. \$709.74. Signed on August 3, 2010.
5. Wire Transfer Authorization for Delta Dental for dental expenditures for May and June 2010. \$138,993.49. Signed on August 3, 2010.
6. Wire Transfer Authorization for Humana Insurance Company for run out admin fee for a twelve month period . \$173,951.68. Signed on August 3, 2010.
7. Payroll Authorization Status Form for Cindy Mowery for retirement. Signed on August 3, 2010.

8. Payroll Authorization Status Form for Chester Felts for step increase due to Collective Bargaining Unit requirements. Signed on August 3, 2010.
9. Payroll Authorization Status Form for Kevin Schedlbauer step increase due to Collective Bargaining Unit requirements. Signed on August 3, 2010.
10. Payroll Authorization Status Form for Kyle Heckendorn authorizing a step increase due to Collective Bargaining Unit obligations. Signed on August 3, 2010.
11. Payroll Authorization Status Form for Ernest Johnson transferring the employee from DPW/U Wastewater to DPW/U Highway Maintenance. Signed on August 3, 2010.
12. Payroll Authorization Status Form for Cynthia Officer for retirement. Signed on August 3, 2010.
13. Payroll Authorization Status Form for Chris Nelson, temporary promotion to Fire Captain for 90 days per Collective Bargaining Agreement. Signed on August 3, 2010.



Michael L. Starapfner
Emergency Financial Manager

Dated: July 30, 2010

xc: State of Michigan Department of Treasury
Local Emergency Financial Assistance Loan Board
Mayor Leon B. Jukowski
Pontiac City Council
Yvette Talley, City Clerk

CITY OF PONTIAC, MICHIGAN

ORDER NO. S-4 OF MICHAEL L. STAMPFLER
EMERGENCY FINANCIAL MANAGER

TO: ALL DEPARTMENT DIRECTORS, MANAGERS AND SUPERVISORS

EFFECTIVE DATE: AUGUST 10, 2010

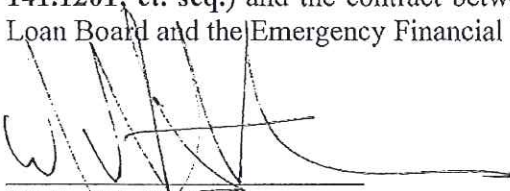
The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a Manager considers necessary to accomplish the purposes of the Act and any such orders are binding on the local officials or employees to whom they are issued. Section 141.1221 (1) provides that an Emergency Financial Manager may take 1 or more additional actions with respect to a unit of local government in which a financial emergency has been determined to exist including: (p) **Exercise the authority and responsibilities of the chief administrative officer and governing body concerning the adoption, amendment, and enforcement of ordinances or resolutions affecting the financial condition of the unit of local government.**

In my capacity as the Emergency Financial Manager for the City of Pontiac I had previously adopted an Emergency Ordinance amending the **Municipal Code of the City of Pontiac, Chapter 110 captioned Taxation, Article II entitled Property Tax, Division 2 captioned Tax Exemption for Certain Housing Projects** to include a new **Section 110-58** which provides that the tax exemption established by **MCLA 125.1415a (1)** shall not apply to all or any class of housing projects within the boundaries of the City of Pontiac, reserving **Sections 110-60 through 110-70** and renumbering the existing **Section 110-57 to 110-59** which provides for severability of the sections comprising **Division 2 of Chapter 110**. Further, the new **Section 110-58** specifies that it shall not be effective with respect to housing projects for which an exemption has already been granted and a payment in lieu of taxes ordinance was previously adopted by the Pontiac City Council as contained in the **Municipal Code of Pontiac, Michigan, Chapter 110 captioned Taxation, Article II entitled Property Tax, Division 2 captioned Tax Exemption for Certain Housing Projects**. In addition, the new **Section 11-58** states that it shall not be effective with respect to annual service fees or payments in lieu of taxes to be paid by the Municipal (Pontiac) Housing Commission pursuant to **MCLA 125.661a** captioned **Municipal housing commission; exemption from taxation; annual service fee, payment in lieu of taxes; qualified entity; defined or the United States pursuant to P.A. 1941, No. 318 (see 31 U.S.C.A. §6901 et. seq.)** – An Act to provide for the consummation of agreements for and on behalf of the political subdivisions of the state of Michigan, for payments of sums in lieu of taxes by the United States. A Resolution confirming my approval of the above-described amendments to the Municipal Code of Pontiac, Michigan was also adopted.

The Ordinance was adopted on an emergency basis since it was determined that it was necessary for the preservation of the health and safety of the residents of and visitors to the City and for the usual daily operations of municipal government and was in full force and effect from the date it was approved which was August 10, 2010.

Copies of the documents referenced in this Order are located in the offices of the City Clerk and the Law Department 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 (**Public Act 442 of 1976, MCL 15.231 et. seq.**) and subject to any exemptions contained in that state statute or other applicable law(s).

This Order is effective immediately. Upon receipt of a copy of this Order please review the records in your departments/divisions and confirm that all of the items outlined above have been processed and/or implemented. This Order is necessary to carry out the duties and responsibilities required of the Emergency Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael L. Stampfler
City of Pontiac
Emergency Financial Manager

Dated: August 10, 2010

xc: State of Michigan Department of Treasury
Local Emergency Financial Assistance Loan Board
Mayor Leon B. Jukowski
Pontiac City Council
Yvette Talley, City Clerk

CITY OF PONTIAC, MICHIGAN

**ORDER NO. S-5 OF MICHAEL L. STAMPFLER
EMERGENCY FINANCIAL MANAGER**

TO: ALL DEPARTMENT DIRECTORS, MANAGERS AND SUPERVISORS

**RE: TERMINATION OF THE USE OF ALL CREDIT CARDS ISSUED TO
THE CITY OF PONTIAC OR ONE OF ITS RELATED ENTITIES**

EFFECTIVE DATE: AUGUST 10, 2010

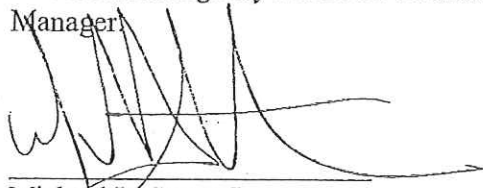
The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a Manager considers necessary to accomplish the purposes of the Act and any such orders are binding on the local officials or employees to whom they are issued. Section 141.1221 (1) provides that an Emergency Financial Manager may take 1 or more additional actions with respect to a unit of local government in which a financial emergency has been determined to exist including: (a) Analyze factors and circumstances contributing to the financial condition of the unit of local government and recommend steps to be taken to correct the condition. (f) Make, approve, or disapprove any appropriations, contract, expenditure, or loan, ...

Due to the serious nature of the municipality's current financial condition, the City has an immediate need to reduce costs and control expenditures. Therefore, effective immediately, the use of all credit cards issued to the City of Pontiac or any of its related economic development entities shall cease and all of the cards are to be cancelled. Upon receipt of this Order the appropriate representatives of the City must take the steps necessary to contact all of the credit card issuers and terminate all of the credit card accounts in the name of the City of Pontiac and all cards must be relinquished to the Emergency Financial Manager. Except as outlined in the next paragraph, from this date forward all City credit card usage is prohibited.

The only purpose for which the use of a City credit card is authorized is to pay the fees related to the electronic filing and service of documents and pleadings in federal and state court matters in which the City is a party. For those cases where a City credit card is used to pay the fees associated with electronic filing with the courts, the user will be responsible for maintaining all forms and records necessary to document the proper usage of the card and for reviewing and approving all supporting documentation required to facilitate the payment process associated with credit card statements.

This Order is effective immediately and will be strictly enforced. Upon receipt of a copy of this Order please review the records in your departments/divisions and confirm that all of the items described above have been processed, implemented and completed promptly.

This Order is necessary to carry out the duties and responsibilities required of the Emergency Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.

A handwritten signature in black ink, appearing to read 'Michael L. Stampfler', written over a horizontal line.

Michael L. Stampfler
City of Pontiac
Emergency Financial Manager

Dated: August 10, 2010

xc: State of Michigan Department of Treasury
Local Emergency Financial Assistance Loan Board
Mayor Leon B. Jukowski
Pontiac City Council
Yvette Talley, City Clerk

CITY OF PONTIAC, MICHIGAN

**ORDER NO. S-6 OF MICHAEL L. STAMPFLER
EMERGENCY FINANCIAL MANAGER**

TO: ALL DEPARTMENT DIRECTORS, MANAGERS AND SUPERVISORS

**RE: TERMINATION OF THE USE OF ALL ELECTRONIC
FUND TRANSACTIONS VIA WIRE TRANSFER**

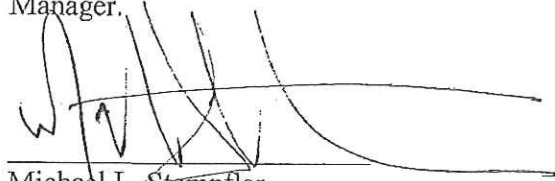
EFFECTIVE DATE: AUGUST 10, 2010

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take 1 or more additional actions with respect to a unit of local government in which a financial emergency has been determined to exist including: (a) Analyze factors and circumstances contributing to the financial condition of the unit of local government and recommend steps to be taken to correct the condition. (f) Make, approve, or disapprove any appropriations, contract, expenditure, or loan, ...

Due to the serious nature of the municipality's current financial condition, the City has an immediate need to reduce costs and control expenditures. Therefore, effective immediately, the use of wire transfers or the processing of cash transactions electronically by the City of Pontiac or any of its related economic development entities shall cease. From this date forward all City wire transfers or electronic cash transactions are prohibited. Departments and divisions are required to adhere to the written policies and procedures of the City related to financial matters including but not limited to those contained in the Charter and Municipal Code dealing with authorizations, internal controls, keeping assets safe and secure, the requirements for cash management and the accounts payable transaction cycle. For all future financial transactions of the City the normal purchasing procedures shall be complied with and effective procurement planning must be followed. Henceforth, in order to safeguard against possible loss or misuse of funds, internal controls must be adhered to so as to provide reasonable assurance that all transactions are properly accounted for and assets are adequately protected.

This Order is effective immediately and will be strictly enforced. Upon receipt of a copy of this Order please review the records in your departments/divisions and confirm that all of the items described above have been processed, implemented and completed promptly.

This Order is necessary to carry out the duties and responsibilities required of the Emergency Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.

A handwritten signature in black ink, appearing to read 'Michael L. Stampfler', written over a horizontal line.

Michael L. Stampfler
City of Pontiac
Emergency Financial Manager

Dated: August 10, 2010

xc: State of Michigan Department of Treasury
Local Emergency Financial Assistance Loan Board
Mayor Leon B. Jukowski
Pontiac City Council
Yvette Talley, City Clerk



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

Dated: August 13, 2010

ORDER NO. S-8

RE: City Auditor

TO: Mark Hotz, City Attorney
Sheryl Stubblefield, Acting City Treasurer
Yvette Talley, City Clerk
John Naglick, Assistant to Finance Director
Carl Johnson, Controller (Plante & Moran)

2010 AUG 20 PM 11:03
RECEIVED
CITY OF PONTIAC

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; and (f) Make, approve or disapprove any appropriation, contract, expenditure..."

In my capacity as Emergency Financial Manager for the City of Pontiac, I have approved a contract with Rehmann Robson dated August 12, 2010 to conduct the audit of the 2009-2010 fiscal year for the City of Pontiac and its affiliated entities and funds.

It is hereby ordered:

- (1) The City Attorney advise by August 17, 2010, in writing, the Mayor, City Council, City Department Heads and the head of all City of Pontiac affiliated entities and funds that Rehmann Robson will conduct the 2009-2010 Fiscal Year Audit. Such notification of the Order shall also include the express direction that "The Emergency Financial Manager orders the prompt and full cooperation of all City of Pontiac elected and appointed officials, department

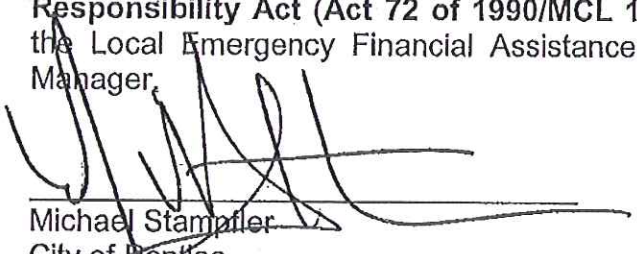
heads, employees and all other individuals with responsibility for the City of Pontiac, its affiliated entities and funds. Such prompt and full cooperation, along with providing accurate and complete information to Rehmann Robson is essential in order for the City to timely complete and submit its annual audit to the State of Michigan, as required by law, prior to December 31, 2010."

- (2) The City Attorney take all steps necessary to have all City records reflect that Rehmann Robson is conducting the 2009-2010 audit including, but not limited to, any and all reports to the State of Michigan.
- (3) The Controller shall prepare the necessary budget amendment to provide funding for the audit contract for approval by the Emergency Financial Manager by August 17, 2010.
- (4) The City Attorney shall insure that the City complies with the audit contract requirements (as stated in "Audit Procedures – General" in the contract) regarding Rehmann Robson's contact with the City's prior auditing firm and access to work papers and documents.
- (5) The Assistant to the Finance Director is instructed to comply with the audit contract requirement to provide "reasonable workspace for Rehmann Robson personnel" at City Hall.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfer
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council

CITY OF PONTIAC, MICHIGAN

ORDER NO. S-9 OF MICHAEL L. STAMPFLER
EMERGENCY FINANCIAL MANAGER

TO: ALL DEPARTMENT DIRECTORS, MANAGERS AND SUPERVISORS

RE: APPOINTMENT OF JOHN NAGLICK
AS ACTING FINANCE DIRECTOR AND
ELIMINATION OF THE POSITION
OF CHIEF FINANCIAL OFFICER

EFFECTIVE DATE: AUGUST 17, 2010

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take 1 or more additional actions with respect to a unit of local government in which a financial emergency has been determined to exist including: (i) Notwithstanding the provisions of any charter to the contrary, ... appoint, supervise, and at his or her discretion, remove heads of departments ...

Due to the financial emergency that exists in the City, I have determined that it is in the best interests of the municipality to appoint Mr. John Naglick as Acting Finance Director for a period of sixty (60) days commencing on August 10, 2010 and terminating on October 10, 2010. In his capacity as the Acting Finance Director, Mr. Naglick will insure that all of the duties and responsibilities assigned to the Finance Department in Article IV, Chapter 3 of the Home Rule Charter of Pontiac, Michigan are fulfilled. It is anticipated that Mr. Naglick will assist us in meeting the urgent challenges and opportunities we are currently confronting and will expedite implementation of a coherent and comprehensive financial plan. The City's dire financial condition gives rise to the need for a dramatic and significant shift in our operations and the appointment of an Acting Finance Director is intended to facilitate that process.

During Mr. Naglick's tenure as the interim Director of the Finance Department, a search will be conducted and if an acceptable candidate(s) with the necessary skills, dedication and vision is identified, consideration will be given to filling the position on a permanent basis.

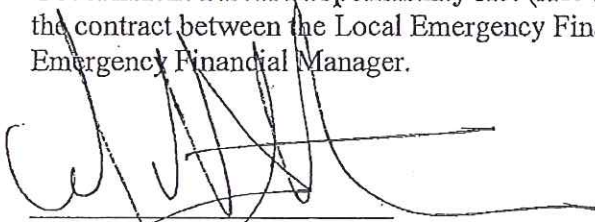
As a result of the key organizational change of the appointment of an Acting Finance Director, the position of Chief Financial Officer currently held by Denise Buckley of Plante Moran is being eliminated effective August 9, 2010 at 5:00 P.M.. We enjoyed working with Mrs. Buckley in her capacity as Chief Financial Officer and look forward to working with her in the future in whatever role Plante Moran may place her while that entity continues to provide services to the City.

2010 AUG 20 P 11:00

RECEIVED
CITY OF PONTIAC

These actions are being taken in part to commence the process of making permanent changes to the City's financial management practices. We must take steps to address the systematic issues that have plagued City government for years. We have the responsibility of developing and enforcing the City's appropriations ordinance, and implementing revenue and debt strategies to support the budget.

This Order is effective immediately and is necessary to carry out the duties and responsibilities required of the Emergency Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael A. Stampfler
City of Pontiac
Emergency Financial Manager

Dated: August 17, 2010

xc: State of Michigan Department of Treasury
Local Emergency Financial Assistance Loan Board
Mayor Leon B. Jukowski
Pontiac City Council
Yvette Talley, City Clerk

CITY OF PONTIAC, MICHIGAN

ORDER NO. 10 OF THE EMERGENCY FINANCIAL MANAGER

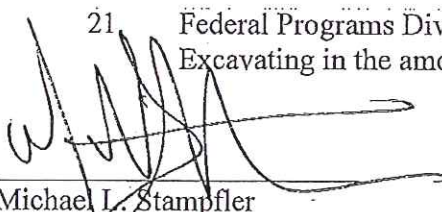
To: ALL DEPARTMENT DIRECTORS, MANAGERS AND SUPERVISORS

Effective Date: August 20, 2010

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: ... (b) Amend, revise, approve, or disapprove the budget of the unit of local government, and limit the total amount appropriated or expended during the balance of the financial emergency. (f) Make, approve, or disapprove any appropriation, ..., expenditure, ...creation of new position....filling of vacancies (i) Notwithstanding the provisions of any charter to the contrary, consolidate departments of the unit of local government or transfer functions from 1 department to another ... [emphasis added].....(j) Employ, contract for,with approval of the emergency loan board, auditors and other technical personnel considered necessary In accordance with the statute referenced herein I have caused the following to be completed:

1. Classic Car Cruise Agreement between the City of Pontiac and the Greater Pontiac Community Coalition. Contract provides that the GPCC will be financially responsible for the cost of any city services provided for the Woodward Dream Cruise Event. Signed on August 16, 2010.
2. Payroll Authorization Status Form for Nucleus Smith for termination of employment. Signed on August 16, 2010.
3. Payroll Authorization Status Form for Rose Rivera for her retirement effective July 31, 2010. Signed on 8/16/2010.
4. Payroll Authorization Status Form for Merri Dorkins for her retirement effective July 14, 2010. Signed on 8/16/2010.
5. Payroll Authorization Status Form for Jalissa Price a seasonal employee whose services are no longer needed. Signed on August 16, 2010.
6. Payroll Authorization Status Form for Ulysses Reid for step increase per Collective Bargaining Unit obligations. Signed on August 16, 2010.
7. Payroll Authorization Status Form for Stephen Kalinowski for step increase per Collective Bargaining Unit obligations. Signed on August 16, 2010.
8. Payroll Authorization Status Form for Charles Jefferson to adjust seniority date. Signed on August 16, 2010.

9. Federal Programs Division Authorization for Payment to 21st Century Newspapers in the amount of \$3,628.61. Signed on August 19, 2010.
 10. Federal Programs Division Authorization for Payment to Greenan Excavating in the amount of \$7,148.75. Signed on August 19, 2010.
 11. Federal Programs Division Authorization for Payment to Greenan Excavating in the amount of \$10,769.00. Signed on August 19, 2010.
 12. Federal Programs Division Authorization for Payment to Greenan Excavating in the amount of \$6,075.00. Signed on August 19, 2010.
 13. Federal Programs Division Authorization for Payment to Greenan Excavating in the amount of \$8,514.00. Signed on August 19, 2010.
 14. Federal Programs Division Authorization for Payment to Greenan Excavating in the amount of \$7,887.00. Signed on August 19, 2010.
 15. Federal Programs Division Authorization for Payment to Greenan Excavating in the amount of \$7,247.75. Signed on August 19, 2010.
-
16. Federal Programs Division Authorization for Payment to Greenan Excavating in the amount of \$14,188.75. Signed on August 19, 2010.
 17. Federal Programs Division Authorization for Payment to Greenan Excavating in the amount of \$13,357.75. Signed on August 19, 2010.
 18. Federal Programs Division Authorization for Payment to Greenan Excavating in the amount of \$13,051.50. Signed on August 19, 2010.
 19. Federal Programs Division Authorization for Payment to Greenan Excavating in the amount of \$9,520.50. Signed on August 19, 2010.
 20. Federal Programs Division Authorization for Payment to Greenan Excavating in the amount of \$12,725.75. Signed on August 19, 2010.
 21. Federal Programs Division Authorization for Payment to Greenan Excavating in the amount of \$5,892.00. Signed on August 19, 2010.



Michael L. Stampfler
Emergency Financial Manager

Dated: July 30, 2010

xc: State of Michigan Department of Treasury
Local Emergency Financial Assistance Loan Board
Mayor Leon B. Jukowski
Pontiac City Council
Yvette Talley, City Clerk



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

Dated: August 24, 2010

ORDER NO. S-10

RE: Health Care Benefits Contract

TO: Larry Marshall, Human Resources Director
Greg Surmont, McGraw Wentworth
Mark Hotz, City Attorney
Yvette Talley, City Clerk

2010 AUG 26 PM 1:19
CITY OF PONTIAC
RECEIVED

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; and (f) Make, approve or disapprove any appropriation, contract, expenditure...".

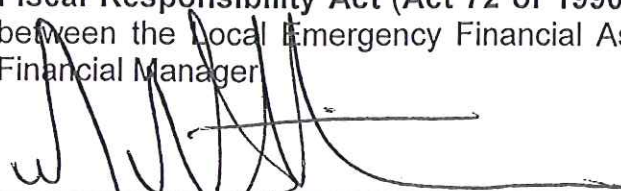
It is hereby ordered that:

- (1) Mark Kopson of Plunkett Cooney is appointed as the City's sole negotiator and representative for the City's health care benefits contract.
- (2) The Human Resources Director and employees of McGraw Wentworth, in its capacity of agent-of-record for the City, shall fully cooperate with Mr. Kopson and promptly provide him with any and all documents and information as requested.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager



Michael Stampfler
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER

MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

Dated: August 31, 2010

ORDER NO. S-12

RE: ASO Contract for Active Employees and Pre-65 Retirees

TO: John Naglick, Acting Finance Director
Larry Marshall, Human Resources Director
Greg Surmont, McGraw Wentworth
Mark Kopson, Plunkett Cooney
Mark Hotz, City Attorney
Yvette Talley, City Clerk
Sheryl Stubblefield, Treasurer

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; and (f) Make, approve or disapprove any appropriation, contract, expenditure...".

It is hereby ordered that:

- (1) The City's most recent Plan Management Agreement for Administrative Services with Humana Insurance Company ("Humana"), as revised September 1, 2009 and with an expiration date of August 31, 2010, for Active Employees and Pre-65 Retirees shall be and is extended for a period of sixty (60) days, with the same \$95,000 specific stop-loss attachment point but at the rates specified in the column labeled

"RENEWAL" on the page entitled "Humana Financial Proposal for City of Pontiac" and specifying a "Quote Creation Date" of "January 6, 2009," attached hereto as "Exhibit A." The Plan Management Agreement as extended in accordance with the terms of this paragraph is hereinafter referred to as the "Humana Extension."

- (2) The Finance Director and Treasurer are hereby authorized to make the payments to Humana as required under the Humana Extension and to ensure that the City is properly credited under the Humana Extension for a prior payment to Humana in the amount of \$173,951.68, made pursuant to a Wire Transfer Authorization, dated 7/19/2010, signed by Tamantha Green.
- (3) The Human Resources Director is authorized to have direct contact with Humana representatives for the sole purpose of day-to-day administration of the Humana Extension, but is not authorized to conduct negotiations or make or amend contracts on behalf of the City with Humana or any other insurer or ASO provider and Order S-10 remains in full force and effect.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfler
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council

Humana Financial Proposal for
City of Pontiac



Effective Period:
Quote Creation Date:
Group Number(s):

Number of Employees

Single
Employee + 1
Family
Total

Total Number of Members

(1) Charge for Humana Admin Services

Worksheet tab name

RENEWAL

Current

Single Rate	\$45.24
Employee + 1 Rate	\$45.24
Family Rate	\$45.24
Composite	\$45.24
Total	\$526,594

Contract Basis

24/12

SPECIFIC Stop-Loss

RENEWAL

Specific Lifetime Maximum	\$5,000,000
Specific Deductible (per Covered Person)	\$95,000
Maximum Specific Benefit	\$4,905,000
Coinsurance Level	100%

Specific Premium

Single Rate	\$59.39
Employee + 1 Rate	\$118.78
Family Rate	\$178.16
Composite	\$120.98
Estimated Annual Specific Premium	\$1,408,213

Aggregate Premium

Single Rate
Employee + 1 Rate
Family Rate
Composite
Estimated Annual Aggregate Premium

TOTAL ANNUAL PREMIUM AND ADMIN

\$1,934,806

EXPECTED CLAIMS

RENEWAL

Projected Claims

100%

Single	\$658.99
Employee + 1	\$1,317.99
Family	\$1,976.97
Composite	\$1,342.44
Estimated Annual Claims	\$15,626,010

Aggregate Attachment Point

Single
Employee + 1
Family
Composite
Estimated Annual Attachment Point*

***Total Combined Est. Liability**

*Final calculation will be based on actual enrollment by plan.

PLEASE REFER TO PROPOSAL FOR CONTINGENCIES AND EXCLUSIONS



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER
47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3274
Fax: (248) 758-3195 fax

RECEIVED
CITY OF PONTIAC

2010 SEP -7 A 9:23

Dated: September 2, 2010

ORDER NO. S-13

RE: Fire Department Overtime

TO: Jeffrey Hawkins, Fire Chief
Larry Marshall, Human Resources Director
John Naglick, Acting Finance Director
Mark Hotz, City Attorney
Yvette Talley, City Clerk
Carl Johnson, Plante & Moran

The **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** in **Section 141.1219** empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1)** provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: **"(a)** Analyze factors and circumstances contributing to the financial condition of the unit of local government and recommend steps to be taken to correct the condition"; **(b)** Amend, revise, approve, or disapprove the budget of the unit of local government, and limit the total amount appropriated or expended during the balance of the financial emergency; and **(e)** 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...".

It is hereby ordered that:

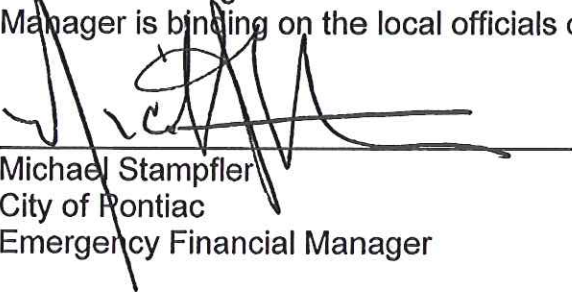
- (1) The Fire Chief shall manage overtime for the Fire Department not to exceed Five Hundred Thousand (\$500,000.00) Dollars, consistent with the Fire Department's overtime budget for the 2010-11 fiscal year.

- (2) The Fire Chief shall issue a written report to the Emergency Financial Manager on the first day of each month, commencing October 1, 2010 regarding his efforts to comply with this Order.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager. Pursuant to MCL 141.1219, an order of the Emergency Financial Manager is binding on the local officials or employees to whom it is issued.



Michael Stampfler
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

Dated: September 10, 2010

ORDER NO. S-14

RE: Layoff List

TO: Larry Marshall, Human Resources Director
John Naglick, Acting Finance Director
Mark Hotz, City Attorney
Yvette Talley, City Clerk
Carl Johnson, Plante & Moran

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(b) Amend, revise, approve, or disapprove the budget of the unit of local government, and limit the total amount appropriated or expended during the balance of the financial emergency...; (e) 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; (f) Make, approve or disapprove any appropriation, contract, expenditure...; (p) Exercise the authority and responsibilities of the chief administrative officer and governing body concerning the adoption, amendment, and enforcement of ordinances or resolutions affecting the financial condition of the unit of local government as provided in the following acts: (i) The home rule city act, 1909 PA 279, MCL 117.1 to 117.38; (ii) The fourth class city act, 1895 PA 215, MCL 81.1 to 113.20; (iii) The charter township act, 1947 PA 359, MCL 42.1 to 42.34; (iv) 1851 PA 156, MCL 46.1 to 46.32; (v) 1966 PA 293, MCL 45.501 to 45.521; (vi) The general law village act, 1895 PA 3, MCL 61.1 to 74.25; (vi) The home rule village act, 1909 PA 278, MCL 78.1 to 78.28..."

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CITY OF PONTIAC
2010 SEP 10 A 9:33

Due to the continuing state of a significant financial emergency in the City of Pontiac, it is hereby ordered that:

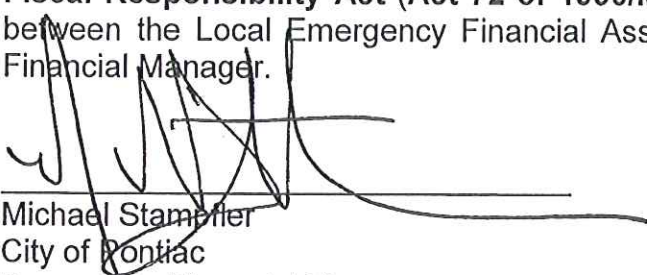
- (1) The Human Resources Director shall review the attached Preliminary Layoff List and certify, in writing, to the Emergency Financial Manager no later than Friday, September 24, 2010 that the List is accurate and contains layoffs by seniority for union employees and by date of hire for non-union employees. Further, the Human Resources Director shall certify that all positions listed as "vacant" have remained unfilled since the commencement of the 2010-2011 fiscal year.
- (2) The Human Resources Director shall prepare the City's Layoff Notices for the employees on the attached Layoff List and present those Notices to the Emergency Financial Manager for review no later than Friday, October 15, 2010.
- (3) The Human Resources Director shall take all other steps consistent with the Layoff Notices concerning employee health care benefits and other related matters and report no later than Friday, October 15, 2010 to the Emergency Financial Manager and Mark Kopson (Plunkett Cooney) for such proposed actions, prior to their proposed publication or proposed notification to employees on the Layoff List. The Human Resources Director shall receive written approval from the Emergency Financial Manager or Mark Kopson prior to the publication or notification concerning employee health care benefits and other related matters to employees on the Layoff List.
- (4) The Human Resources Director shall forward a budget amendment to the Acting Finance Director, Plante & Moran and the Emergency Financial Manager no later than Friday, October 29, 2010 reflecting cost savings in employee salaries and benefits for all employees detailed on the Layoff List and all vacant positions to be permanently removed from the 2010-2011 fiscal year budget.
- (5) The Human Resources Director, upon written final approval from the Emergency Financial Manager, shall cause the Layoff Notices to be delivered to the unions and affected employees on the Layoff List on Friday, November 12, 2010 in accordance with the applicable union contracts and City policies and procedures.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfer
City of Pontiac
Emergency Financial Manager

Attachment: Preliminary Layoff List

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council

**PRELIMINARY LAYOFF LIST
CITY OF PONTIAC
September 10, 2010**

TEAMSTERS LOCAL 214

DEPARTMENT	DIVISION	SENIORITY	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
DPW&U	Bldg. & Safety Engineer	1/20/2009	Rau	Charles	Bldg Inspector	\$56,780.80	\$25,911.00
DPW&U	Bldg. & Safety Engineer	7/16/2008	Apra	Fernando	Plumbing Inspector	\$53,580.80	\$24,064.00
DPW&U	Bldg. & Safety Engineer	6/9/2008	Wolf	Brendan	Electrical Inspector	\$50,460.80	\$26,778.00
DPW&U	Bldg. & Safety Engineer	5/5/2008	Burke	Eugene	Mechanical Inspector	\$56,700.80	\$25,911.00
DPW&U	Planning Division	11/3/2003	Breneau	David	City Planner II	\$39,915.20	\$24,559.00
POLICE	Uniformed Services	10/24/2002	Benion	Donnie	Animal Control Officer	\$31,948.80	\$22,392.00
FINANCE	Treasurers	7/3/2002	Munoz	Edbelinda	Cashier II	\$25,667.20	\$21,715.00
FINANCE	Treasurers	6/24/2002	Wilson	Rose	Property Tax Accountant	\$39,124.80	\$22,503.00
FINANCE	Income Tax Admin.	12/28/2001	English	Melissa	Income Tax Auditor	\$33,300.80	\$21,149.00
DPW&U	Bldg. & Safety Engineer		Vacant		Senior License Technician	\$44,408.00	\$27,598.00
DPW&U	Bldg. & Safety Engineer		Vacant		Housing Inspector I	\$36,088.00	\$30,960.00
FINANCE	Finance Treasurer		Vacant		Accountant	\$67,016.00	
							12 POSITIONS
							\$808,532.00

AFSCME LOCAL 2002

DEPARTMENT	DIVISION	SENIORITY	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
DPW&U	Electrical Shop	3/29/2001	Sykes	Joseph	Journeyman Electrician	\$41,017.60	\$27,406.00
DPW&U	Operations	8/25/2003	White	Jack	Utility Equip. Opera/San.	\$42,057.60	\$34,250.00
DPW&U	Electrical Shop	6/26/2002	Medlock	Shelby	Utility Laborer III	\$33,113.60	\$25,943.00
DPW&U	Wast.Wat.Maint.	3/9/2002	Johnson	Ernest	Utility Laborer III	\$33,113.60	\$31,900.00
DPW&U	Operations	3/8/2002	Hendon	Jerry	Utility Laborer III	\$33,113.60	\$31,984.00
DPW&U	Grounds Maintenance	8/20/2000	Pentecost	Helena	Park Maint. Worker III	\$31,740.80	\$29,555.00
DPW&U	Electrical Shop	6/8/1999	Vaughn	Bryant	Traffic Service Worker	\$33,113.60	\$26,751.00
DPW&U	Operations	5/7/1999	Thomas	Anthony	Utility Laborer III	\$33,113.60	\$31,984.00
DPW&U	Bldg. Maintenance		Vacant		Bldg. Systems Engineer	\$75,372.00	\$75,372.00
DPW&U	Bldg. Maintenance		Vacant		Blvd. Systems Technician	\$69,904.00	\$69,904.00
DPW&U	Bldg. Maintenance		Vacant		Blvd. Systems Technician	\$69,904.00	\$69,904.00
DPW&U	Bldg. Maintenance		Vacant		Custodian	\$47,939.00	\$47,939.00
DPW&U	Bldg. Maintenance		Vacant		Custodian	\$47,939.00	\$47,939.00
DPW&U	Bldg. Maintenance		Vacant		Custodian	\$47,939.00	\$47,939.00
							14 POSITIONS
							\$879,154.00

PPMA

DEPARTMENT	DIVISION	SENIORITY	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
DPW&U	Engineering	3/12/2007	Balint	John	Deputy City Engineer	\$68,764.80	\$8,287.00
LAW	City Attorney	10/2/2000	Poplar	Andre	Deputy City Attorney	\$68,764.80	\$24,261.00
FINANCE	Info. Tech.	3/27/1995	Martin	Kenneth	Database Analyst	\$60,278.40	\$1,377.00
							3 POSITIONS
							\$231,733.00

PONTIAC POLICE OFFICERS ASSOCIATION

DEPARTMENT	DIVISION	SENIORITY	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
POLICE	Uniformed Services	1/7/2008	Jefferson	Charles	Patrol Officer	\$50,481.60	\$43,196.00
POLICE	Uniformed Services	10/22/2002	Williams	Venta	Patrol Officer	\$50,481.60	\$43,196.00
POLICE	Uniformed Services	2/15/2002	Siner	Andre	Patrol Officer	\$50,481.60	\$43,196.00
POLICE	Uniformed Services	12/2/2001	Contreas	Goretta	Patrol Officer	\$50,481.60	\$44,102.00
POLICE	Uniformed Services	7/18/2001	Threkeld	Sennel	Patrol Officer	\$50,481.60	\$43,196.00
POLICE	Uniformed Services	2/23/2001	Wiggins	Raymond	Patrol Officer	\$50,481.60	\$43,390.00
POLICE	Uniformed Services	1/10/2001	Bowie	Charles	Patrol Officer	\$50,481.60	\$43,196.00
POLICE	Uniformed Services	12/9/2000	Tate	James	Patrol Officer	\$50,481.60	\$43,390.00
POLICE	Uniformed Services	7/11/2000	Garett	Gilbert	Patrol Officer	\$50,481.60	\$44,102.00
POLICE	Uniformed Services	8/31/1999	Marougi	Joseph	Patrol Officer	\$50,481.60	\$44,102.00
POLICE	Uniformed Services	6/22/1999	Crampton	Casey	Patrol Officer	\$50,481.60	\$44,102.00
POLICE	Uniformed Services	6/10/1999	Miller	Michael	Patrol Officer	\$50,481.60	\$44,102.00
							12 POSITIONS
							\$1,129,049.20

PONTIAC POLICE SUPERVISORS ASSOCIATION

DEPARTMENT	DIVISION	SENIORITY	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
POLICE	Investigative Services	7/21/1994	Thomas	Brian	Police Sergeant	\$59,862.40	\$46,399.00
POLICE	Investigative Services	11/26/1992	Hunt	Todd	Police Sergeant	\$59,862.40	\$46,399.00
POLICE	Uniformed Services	8/27/1992	Troy	Steven	Police Sergeant	\$59,862.40	\$46,399.00
POLICE	Admin. Services	8/24/1990	McLaughlin	Brian	Police Sergeant	\$59,862.40	\$47,673.00
							4 POSITIONS
							\$426,319.60

DEPARTMENT	DIVISION	SENIORITY	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
DPW&U	Engineering	6/11/2004	Patel	Umakant	Civil Engineer III	\$46,779.20	\$24,529.00
DPW&U	Bldg. Maintenance	10/28/2002	Robinson	Larry	Bldg. Maint. Foreman	\$47,403.20	\$34,626.00
							<u>\$82,029.20</u>
							2 POSITIONS \$153,337.40

DEPARTMENT	DIVISION	SENIORITY	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
DPW&U	Bldg. Maintenance		O'Brien	Robert	Bldg. Systems Tech	\$29,993.60	\$5,175.00
DPW&U	Bldg. Maintenance		Wright	Christopher	Bldg. Systems Tech	\$29,993.60	\$5,175.00
DPW&U			Eggleston	James	Utility Laborer III	\$29,827.20	\$2,718.00
DPW&U	Bldg. Maintenance		Pruyt	Christopher	Bldg. Systems Tech	\$29,993.60	\$5,175.00
FINANCE	Income Tax		Futch	Michael	Income Tax Tech.	\$27,955.20	\$2,267.00
DPW&U			Holland	Jerry	Utility Laborer III	\$29,827.20	\$2,718.00
FINANCE	Treasurer		McCarver	Maia	Account Clerk II	\$28,017.60	\$2,271.00
FINANCE	Accounts Payable		Moore	Davine	Temporary Clerical IV	\$29,120.00	\$2,362.00
DPW&U	Tele Van Services		Clark	Joseph	Tea-A-Van Driver	\$21,320.00	\$2,355.00
DPW&U	Bldg. & Safety Engineer.		Schultz	Bradley	License/Zoning Inspec.	\$36,088.00	\$30,322.00
POLICE/dispatch	Admin. Services		Rodriguez	Lucy	Commun. Specialist	\$33,280.00	\$2,700.00
POLICE/dispatch	Admin. Services		Bell	Mamie	Commun. Specialist	\$33,280.00	\$2,700.00
POLICE/dispatch	Uniformed Services		Brinson	Ethel	Commun. Specialist	\$33,280.00	\$2,700.00
POLICE/dispatch	Admin. Services		Swayzer	Billie	Commun. Specialist	\$32,280.00	\$2,700.00
CITY CLERK	City Clerk		Hawkins	Sherika	Temporary Clerical IV	\$41,600.00	\$41,600.00
CITY CLERK	City Clerk			Vacant	Temporary Clerical IV	\$41,600.00	\$41,600.00
							16 POSITIONS
							\$578,794.00

DEPARTMENT	DIVISION	SENIORITY	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
EXECUTIVE OFFICE							
DPW&U	Mayor's Office			Vacant	Director/Special Projects	\$49,109.00	\$20,820.00
	Building & Safety			Vacant	Building Official	\$61,194.80	\$11,183.00
CITY COUNCIL	City Council			Vacant	Legislative Office Coord.	\$40,684.00	\$22,625.00
CITY COUNCIL	City Council			Nathan	Legislative Assistant	\$35,526.40	\$19,223.00
LAW	Mayor's Office	2/4/2008	Braswell	Stephanie	Executive Assistant	\$57,720.00	\$21,689.00
FINANCE	Info/Tech	2/8/2006	Sumner	Nikia	Appl. Support Spec.	\$40,684.80	\$22,625.00
HUMAN RESOURCES	Personnel/Services	7/11/2005	Jennings	Michele	HR Administrator	\$49,108.80	\$23,590.00
		6/14/2004	Vandegrift				

FINANCE	Purchasing	4/28/2003	Denham	Derek	Purchasing Agent	\$58,531.20	\$21,779.00	\$80,310.20
FIRE	Admin. Services	3/3/2003	Ghant	Mary	Executive Assistant	\$40,684.80	\$22,625.00	\$63,309.80
HUMAN RESOURCES	Payroll	3/3/2003	Patterson	Denise	HR Spec./City Payroll	\$43,139.20	\$9,439.00	\$52,578.20
HUMAN RESOURCES	Labor Relations	5/7/2001	Scott	Devin	Assist. To Director/Labor	\$49,108.80	\$20,820.00	\$69,928.80
HUMAN RESOURCES	Human Resources	4/19/1999	Oberoi	Madhu	Planning Admin.	\$69,742.40	\$24,498.00	\$94,240.40
POLICE	Admin. Services	4/13/1999	Peet	Rolanda	Executive Assistant	\$40,684.80	\$21,212.00	\$61,896.80
FINANCE	Admin. Services	1/4/1999	Germany	Cheyla	Executive Assistant	\$51,376.00	\$20,982.00	\$72,358.00
						14 POSITIONS		\$970,405.00
						77 FULL TIME POSITIONS		\$5,177,324.20

TEMPORARY PART TIME EMPLOYEES

DEPARTMENT	DIVISION	SENIORITY	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
LAW	Law Dept.		Finnegan	Frances	City Attorney	\$37,440.00	\$3,036.00
POLICE	Police		Reyes	Frank	Clerical Tech. Aide	\$29,036.00	\$2,355.00
POLICE	Police		Craggette	Dwayne	Crossing Guard	\$11,700.00	\$1,183.00
POLICE	Police		Jackson	Tywanna	Crossing Guard	\$11,700.00	\$1,183.00
POLICE	Police		Smith	Thomas	Crossing Guard	\$11,700.00	\$1,183.00
DPW&U	Recreation		Ellison	Hamilton	Sports Official	\$1,608.00	\$1,608.00
DPW&U	Recreation		Gebhart	Jacob	Scorekeeper	\$1,608.00	\$1,608.00
DPW&U	Recreation		Glover	Larry	Sports Official	\$1,608.00	\$1,608.00
DPW&U	Recreation		Grant	Darron	Sports Official	\$1,608.00	\$1,608.00
DPW&U	Recreation		Davis	Jessica	Scorekeeper	\$1,608.00	\$1,608.00
DPW&U	Recreation		Archer	Deborah	Sports Official	\$1,608.00	\$1,608.00
DPW&U	Recreation		Benion Jr.	Frank	Sports Official	\$1,608.00	\$1,608.00
DPW&U	Recreation		Bloom	Herbert	Sports Official	\$1,608.00	\$1,608.00
DPW&U	Recreation		Craft	Troy	Sports Official	\$1,608.00	\$1,608.00
DPW&U	Recreation		Dowell	Andrew	Scorekeeper	\$1,608.00	\$1,608.00
DPW&U	Recreation		Dowell	Antwon	Scorekeeper	\$1,608.00	\$1,608.00
DPW&U	Recreation		Dowell	Fem	Site Coordinator	\$1,608.00	\$1,608.00
DPW&U	Recreation		Hamilton	Gregory	Sports Official	\$1,608.00	\$1,608.00
DPW&U	Recreation		Hardy	Randy	Sports Official	\$1,608.00	\$1,608.00
DPW&U	Recreation		Hill	Dennis	Sports Official	\$1,608.00	\$1,608.00
DPW&U	Recreation		Hill	Robert	Scorekeeper	\$1,608.00	\$1,608.00
DPW&U	Recreation		James	Jasmin	Scorekeeper	\$1,608.00	\$1,608.00
DPW&U	Recreation		Moore	Dwight	Sports Official	\$1,608.00	\$1,608.00
DPW&U	Recreation		Morway	Cheryl	Site Coordinator	\$1,608.00	\$1,608.00
DPW&U	Recreation		Nix	Cory	Scorekeeper	\$1,608.00	\$1,608.00
DPW&U	Recreation		Peterson	Richard	Sports Official	\$1,608.00	\$1,608.00
DPW&U	Recreation		Thompson	William	Scorekeeper	\$1,608.00	\$1,608.00
						\$145,892.00	



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

Dated: September 15, 2010

ORDER NO. S-15

RE: Rescission of Order No. S-11

TO: Mark Hotz, City Attorney
Yvette Talley, City Clerk

RECEIVED
CITY OF PONTIAC
2010 SEP 16 A 9:02

The **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** in **Section 141.1219** empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1)** provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(p) Exercise the authority and responsibilities of the chief administrative officer and governing body concerning the adoption, amendment, and enforcement of ordinances or resolution affecting the financial condition of the unit of local government...".

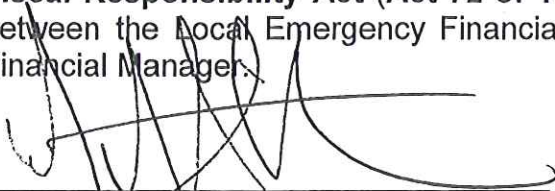
It is hereby ordered that:

Due to changed circumstances and information received from the attorney for the City of Pontiac General Employees Health and Insurance Plan and Trust, Order No. S-11 is hereby rescinded.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfler
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



RECEIVED
CITY OF PONTIAC

CITY OF PONTIAC

OFFICIAL MEMORANDUM 2010 SEP 27 A 9:36

Mayor Leon Jukowski
Fire Chief Jeffrey Hawkins

Fire Department

TO: Michael L. Stampfler
FROM: Jeffrey Hawkins Fire Chief
DATE: September 26, 2010
RE: Support for Directive S-17 *JH*

As directed by executive Order of the Emergency Financial Manager, as to maintaining our approved budget and to ensure that we are operating within the Adopted 2010-11 budgets. I need to get approval of a consultant contract with Ralph Kulling for the development of the Pontiac Fire Department schedules and software to manage the new work schedule that is being implemented within the Fire Department on October 31, 2010.

I have forward a copy of the proposal to Purchasing agent Derrick Denham, Acting Finance Director John Naglick and IT Director Richard Seay. I was reminded that we would have to get three sealed bids because of the potential cost exceeding 10,000.00. The problem is trying to get the other potential vendors who are not familiar with this schedule to respond with a finish product and training that will be necessary for implementation. I would asked that if we can amend the purchasing policy to be timely and responsive to directive S-17

Thank you for your cooperation.

Cc. Michael Stampfler
Mark Hotz
John Naglick
Yvette Talley
File

Ralph Kulling
721 Timber Ridge Dr.
Highland, MI 48357
September 18, 2010

248-891-9774

Chief Jeffrey Hawkins
Pontiac Fire Department

Dear Chief Hawkins:

Thank you for the opportunity to provide a service to your department that will greatly enhance the scheduling ability of your staff.

This correspondence outlines the complete scope of work you requested, including objectives, procedures, identification of responsibilities, and estimated fees.

OBJECTIVE

Program and implement a scheduling system for the fire department that is accessible on the internet. Install the software, including implementation and setup, training, conversion assistance, and post-conversion support of all modules. Success of this project is dependent not only on the software, but also on your personnel's skill, effort, and willingness to work as a team.

SCOPE OF SERVICES

1. Procedures
 - a. Plan the implementation of the internet scheduling system.
 - b. Write the program.
2. Training and Testing
 - a. Work with you and your staff during installation and implementation to help you gain a general understanding of the system.
 - b. Train staff in the areas that directly affect their position in the department.
 - c. Upon completion, system test to assure that it is functioning as intended and producing accurate reports based on your input.
3. Conversion and Post-Conversion Support
 - a. Assist in planning and assembling data for the conversion to the scheduling system, as required.

YOUR RESPONSIBILITIES

This project demands significant involvement by your Information Technology personnel. Ultimate success is highly dependent on their effort. To help achieve a smooth and successful implementation, it will be your responsibility to perform the following:

1. Provide a web server that has Coldfusion Server and MySQL Database installed and configured.
2. Provide ftp access to the server from my computer.
3. Create a complete list of all personnel and their related scheduling data.

BENEFITS

When the project is complete, your department will have successfully converted to the internet scheduling system. Benefits include timely, accurate scheduling, including sick time, comp time, vacation time and improved staff moral.

SOFTWARE COSTS AND PROFESSIONAL FEES

Software costs and fee estimates are summarized on the attached schedule.

Our professional fees are billed weekly.

CLOSING

We appreciate the opportunity to be of service to your fire department.

Sincerely,

Ralph Kulling

Enclosure

RALPH KULLING
721 TIMBER RIDGE DR.
HIGHLAND, MI 48357

PROPOSAL

DATE: Sept. 20, 2010

TO: Jeffrey Hawkins

SOFTWARE: Internet Scheduling System

SOFTWARE COST:

Coldfusion Server	\$1,299
MySQL Database	0
 TOTAL SOFTWARE	 \$1,299

PROFESSIONAL FEE ESTIMATE:

Rate \$60.00/hour	HOURS
Installation Plan	5
Setup Server	
Identify Responsibilities	
Establish Schedule	
Development of System	200
Writing Program	
Training: All Modules	9
Document Procedures	
Demonstrate Hands-On Entry Reporting	
 TOTAL ESTIMATED HOURS	 214



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

Dated: September 22, 2010

ORDER NO. S-17

RE: Fire Department

TO: Jeffrey Hawkins, Fire Chief
Larry Marshall, Human Resources Director
John Naglick, Acting Finance Director
Mark Hotz, City Attorney
Yvette Talley, City Clerk
Carl Johnson, Plante & Moran
Ellen Zimmerman, Retirement Systems Administrator

RECEIVED
CITY OF PONTIAC
2010 SEP 29 A 10:04

The **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** in **Section 141.1219** empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1)** provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: **"(a)** Analyze factors and circumstances contributing to the financial condition of the unit of local government and recommend steps to be taken to correct the condition"; **(b)** Amend, revise, approve, or disapprove the budget of the unit of local government, and limit the total amount appropriated or expended during the balance of the financial emergency; and **(e)** 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...".

I have previously ordered the Fire Chief, in Order No. S-13, to manage overtime for the Fire Department and not exceed the Fire Department's overtime budget for the 2010-11 fiscal year. It is imperative that the Pontiac Fire Department's overtime budget not be exceeded and, additionally, that the Fire Chief initiate additional operational efficiencies to control costs within the Fire Department.

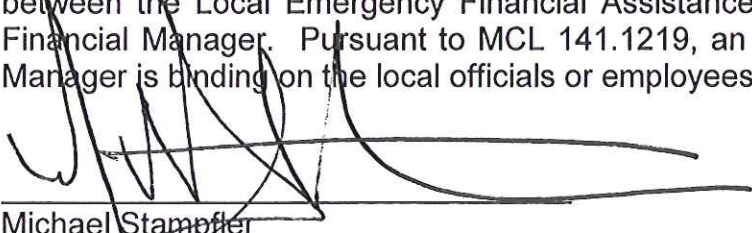
It is hereby ordered that:

- (1) The directives of the Fire Chief as outlined in his attached Memorandum dated September 22, 2010 implementing changes to the Pontiac Fire Department's work schedules and related staffing are approved.
- (2) The Fire Chief shall issue a written report to the Emergency Financial Manager on November 15, 2010 regarding the Fire Department's compliance with his directives.
- (3) The Acting Finance Director shall prepare a budget amendment reflecting the impact of the Fire Chief's directive on the 2010-11 City Budget no later than November 15, 2010.
- (4) The early retirement offer available to eligible employees in the Fire Department which has just recently expired on September 6, 2010, will be extended until October 7, 2010 at 4:00 p.m. The Human Resources Director shall immediately notify the Pontiac Fire Fighters Union of the extension of this offer no later than 12 noon on Friday, September 24, 2010. Responses to the early retirement offer which has been extended must be submitted in writing to the office of the Human Resources Director no later than 4:00 p.m. on Friday, October 8, 2010.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager. Pursuant to MCL 141.1219, an order of the Emergency Financial Manager is binding on the local officials or employees to whom it is issued.



Michael Stampfer
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

RECEIVED
CITY OF PONTIAC
2010 SEP 24 P 4:53

Dated: September 24, 2010

ORDER NO. S-18

RE: McGraw Wentworth

TO: Mark Hotz, City Attorney
Sheryl Stubblefield, Acting City Treasurer
Yvette Talley, City Clerk
John Naglick, Acting Finance Director
Larry Marshall, Human Resources Director
Carl Johnson, Controller (Plante & Moran)
Ellen Zimmerman, Retirement Systems Administrator
Greg Surmont (McGraw Wentworth)

The **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** in **Section 141.1219** empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1)** provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; and (f) Make, approve or disapprove any appropriation, contract, expenditure...".

It is hereby ordered:

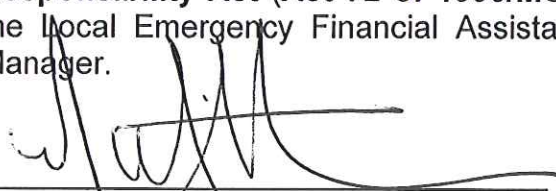
- (1) The fee arrangement and engagement letter of September 1, 2009 with McGraw Wentworth and all corresponding services are disapproved and terminated immediately.
- (2) McGraw Wentworth is removed as Agent of Record for the City of Pontiac, effective immediately.

- (3) McGraw Wentworth is to keep all records of the City of Pontiac confidential, consistent with state and federal laws and is not to release such records or utilize them for any purpose without the express, written consent of the Emergency Financial Manager, and is to cooperate fully with the City of Pontiac's new Agent of Record.
- (4) The Acting Finance Director is to reconcile the City's account with McGraw Wentworth and provide a report to the Emergency Financial Manager no later than October 5, 2010.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfle
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

RECEIVED
CITY OF PONTIAC
2010 SEP 24 P 4:53

Dated: September 24, 2010

ORDER NO. S-19

RE: Meadowbrook, Inc.

TO: Mark Hotz, City Attorney
Sheryl Stubblefield, Acting City Treasurer
Yvette Talley, City Clerk
John Naglick, Acting Finance Director
Larry Marshall, Human Resources Director
Carl Johnson, Controller (Plante & Moran)
David N. Sheeran, CPA (Meadowbrook Inc.)

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; and (f) Make, approve or disapprove any appropriation, contract, expenditure...".

It is hereby ordered:

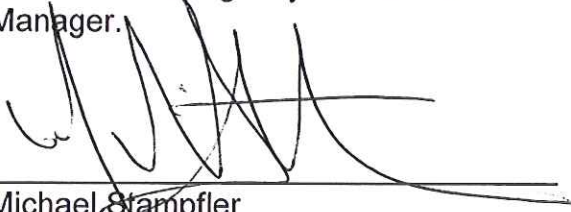
- (1) Meadowbrook, Inc. is appointed as Agent of Record for the City of Pontiac for all of the City's insurance coverage, effective immediately.
- (2) The City accepts the proposal of Meadowbrook, Inc. to provide professional services as Agent of Record pursuant to the attached letter agreement from David N. Sheeran, CPA, of Meadowbrook, Inc., dated September 22, 2010, effective immediately.

- (3) The letter agreement with Meadowbrook, Inc. is deemed to be a professional service contract excluded in Section 2-521 from the requirements of Section 2-516, et. seq. (Purchasing) of the Municipal Code of Pontiac, Michigan.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.

A handwritten signature in black ink, appearing to read 'Michael Stampfler', is written over a horizontal line.

Michael Stampfler
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



September 22, 2010

Mr. Michael Stampfler
Emergency Financial Manager
City of Pontiac
c/o Mr. Mark S. Kopson
Plunkett Cooney
38505 Woodward Avenue
Suite 2000
Bloomfield Hills MI 48304

Re: COP Agent of Record Compensation

Dear Mr. Stampfler,

The purpose of this letter is to outline Meadowbrook, Inc.'s fee if named the agent of record for the City of Pontiac (i) active and pre-65 medical plan currently provided by Humana ("Active Plan") and (ii) Medicare Advantage medical plan currently provided by Humana ("MA Plan").

Meadowbrook, Inc. will instruct Humana to quote the Active Plan for 2010-2011 net of commission. This would include the stop loss coverage. Meadowbrook, Inc. will charge the City of Pontiac a fee of \$11.46 per member per month for the Active Plan policies. This fee would be paid monthly based upon the prior month's actual enrollment and also would be deemed payment in full of the \$8,000 fee we originally charged for our medical evaluation review.

For the MA Plan and for any other coverage at the City of Pontiac for which Meadowbrook, Inc. is named agent of record, we will accept only standard agent commission not to exceed that payable under the current commission arrangement with the existing agent of record. We also will prepare for your review a listing of the commissions payable by line of coverage and provider.

Issuance of a letter appointing Meadowbrook, Inc. the agent of record for the City of Pontiac Active Plan and MA Plan will signify the City of Pontiac's agreement to these terms.

Please let me know if you have any questions.

Sincerely,

David N. Sheeran, CPA
Executive Vice President



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

Dated: September 24, 2010

ORDER NO. S-20

RE: Medicare Advantage and Active/Pre-65 Retiree Contract Proposals

TO: Mark Hotz, City Attorney
Sheryl Stubblefield, Acting City Treasurer
Yvette Talley, City Clerk
John Naglick, Acting Finance Director
Larry Marshall, Human Resources Director
Carl Johnson, Controller (Plante & Moran)
Ellen Zimmerman, Retirement Systems Administrator
David N. Sheeran, CPA (Meadowbrook, Inc.)

RECEIVED
CITY OF PONTIAC
2010 SEP 24 PM 4:53

The **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** in **Section 141.1219** empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1)** provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: **"(e)** 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"; and **(f)** Make, approve or disapprove any appropriation, contract, expenditure...".

Based upon review and analysis of the proposals received from health care coverage providers for new contracts, an independent and complete evaluation of the proposals, and recommendation of counsel, the following significant advantages to the Humana proposals were determined:

- (A) The Humana active employees proposal results in savings of approximately \$500,000 in fixed costs;

- (B) The Humana Medicare Advantage proposal results in savings of approximately \$73,000 in premium costs; and
- (C) The Humana proposals allow the continuity of employee coverage with current providers and doctors.

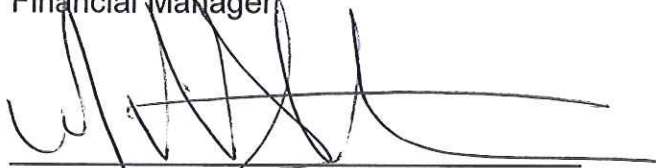
It is hereby ordered:

- (1) The contract for the City of Pontiac's Medicare Advantage medical plan currently provided by Humana Insurance Company ("MA Plan") for the period of January 1, 2011 through December 31, 2011, is awarded to Humana Insurance Company on the terms generally outlined in its final proposal.
- (2) The contract for the City of Pontiac's active and pre-65 medical plan currently provided by Humana Insurance Company ("Active Plan") for the balance of the period of September 1, 2010 through August 31, 2011 remaining after the existing contract extension is awarded to Humana Insurance Company on the terms generally outlined in its final proposal.
- (3) Mark Kopson (Plunkett Cooney) is instructed to finalize appropriate contract documents for the MA Plan and the Active Plan by October 5, 2010, for execution by or on behalf of the City of Pontiac and Humana Insurance Company.
- (4) Meadowbrook, Inc., as the City of Pontiac's Agent of Record, is instructed to provide those services necessary to finalize and implement the MA Plan and Active Plan contracts.
- (5) The Human Resources Director is instructed to implement the MA Plan and Active Plan contracts, advise employees and retirees by October 8, 2010, and coordinate all necessary actions with Humana Insurance Company and Meadowbrook Inc.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.

A handwritten signature in black ink, appearing to read 'Michael Stampfer', written over a horizontal line.

Michael Stampfer
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Mayor Leon Jukowski
Fire Chief Jeffrey Hawkins

Fire Department

TO: Michael L. Stampfler
FROM: Jeffrey Hawkins Fire Chief 
DATE: October 25, 2010
RE: Directive S-21

RECEIVED
CITY OF PONTIAC
2010 OCT 26 P 2 28

As directed by executive Order of the Emergency Financial Manager, S-21 and to ensure that we are Enforcement of Cost Recovery,

Attached are communications on how information is to be formatted per our weekly report. As of October 15-21, 2010 8 false alarms with two have been multiple response since September 26, 2010. Notice was issued to address and the owners of the property. Two citations were issued for the multiple false alarms (see attached). The fire prevention division has begun research on all of the arson fires in vacant and abandoned properties that has occurred during this year. Our goal is to identify the owners of these properties and recover any cost that was expended by the city to secure, extinguish and or demolish the property to make safe.

Thank you for your cooperation.

Cc. Mark Hotz
John Naglick
Yvette Talley ✓
File



City of Pontiac, Michigan

OFFICIAL MEMORANDUM

Mayor Leon Jukowski

Department of Fire

TO: Jeffery Hawkins, Fire Chief

FROM: Fire Inspections Division

DATE: October 22, 2010

RE: Response to Support for Directive S-21 Memo

Per your request please find below a report of all of the false alarms during the week of October 15, 2010 through October 21, 2010.

Date	Incident #	Incident Type	Multiple Alarms	Ticket Issued	Letter Sent	Address
16-Oct-10 16:52:06	0007496	7	2		10/18/2010	285 WHITTEMORE ST
18-Oct-10 02:45:24	0007529	730	1		10/18/2010	1510 NOB Ln
18-Oct-10 09:57:26	0007531	700	2			1510 NOB Ln
19-Oct-10 09:01:36	0007558	7	1		10/19/2010	44200 WOODWARD Ave
20-Oct-10 11:30:49	0007584	700	1		10/20/2010	20 PUTNAM Ave
21-Oct-10 18:15:53	0007620	700	1		10/22/2010	1398 BYNAN Dr
21-Oct-10 22:23:28	0007624	7	1		10/22/2010	174 RIDGEMONT
21-Oct-10 23:33:41	0007627	733	1		10/22/2010	371 MAPLEWOOD Ln

Sincerely,

Fire Inspections Division

Cc. Fire Marshal Fowlkes
Michael L. Stampfler
Deputy Chief Macias

RECEIVED

OCT 22 2010

FIRE CHIEF'S OFFICE
PONTIAC FIRE DEPARTMENT



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

Dated: September 24, 2010

ORDER NO. S-21

RE: Enforcement of Cost Recovery Ordinances

TO: Jeffrey Hawkins, Fire Chief
Larry Marshall, Human Resources Director
John Naglick, Acting Finance Director
Mark Hotz, City Attorney
Yvette Talley, City Clerk
Carl Johnson, Plante & Moran

RECEIVED
CITY OF PONTIAC
2010 SEP 24 P 4:53

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(b) Amend, revise, approve, or disapprove the budget of the unit of local government, and limit the total amount appropriated or expended during the balance of the financial emergency...; (e) 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; (f) Make, approve or disapprove any appropriation, contract, expenditure...; (p) Exercise the authority and responsibilities of the chief administrative officer and governing body concerning the adoption, amendment, and enforcement of ordinances or resolutions affecting the financial condition of the unit of local government as provided in the following acts: (i) The home rule city act, 1909 PA 279, MCL 117.1 to 117.38; (ii) The fourth class city act, 1895 PA 215, MCL 81.1 to 113.20; (iii) The charter township act, 1947 PA 359, MCL 42.1 to 42.34; (iv) 1851 PA 156, MCL 46.1 to 46.32; (v) 1966 PA 293, MCL 45.501 to 45.521; (vi) The general law village act, 1895 PA 3, MCL 61.1 to 74.25; (vi) The home rule village act, 1909 PA 278, MCL 78.1 to 78.28..."

The Pontiac City Council has approved and enacted Ordinances enabling the Pontiac Fire Department to collect penalties and fees for violations of the fire code and as a result of repeated false alarms. It is imperative that the Pontiac Fire Department and the Fire Chief take action carry out the directives of these Ordinances approved by the Pontiac City Council.


It is hereby ordered that:

- (1) The Fire Chief shall fully enforce the following provisions of the Municipal Code of Pontiac:
 - (a) Chapter 62, Fire Prevention and Protection, Article III, Fire Prevention Code, Section 62-34 - Recovery of abatement cost.
 - (b) Chapter 62, Fire Prevention and Protection, Article III, Fire Prevention Code, Section 62-35 - False Fire Alarm Definitions.
 - (c) Chapter 62, Fire Prevention and Protection, Article III, Fire Prevention Code, Section 62-36 - False Fire Alarm Fees.
 - (d) Chapter 62, Fire Prevention and Protection, Article III, Fire Prevention Code, Section 62-37 - Effect of Payment.
 - (e) Chapter 62, Fire Prevention and Protection, Article III, Fire Prevention Code, Section 62-38 - Action to Recover Costs.
 - (f) Chapter 62, Fire Prevention and Protection, Article III, Fire
- (2) The Fire Chief shall issue a weekly report to the Emergency Financial Manager commencing Monday, October 4, 2010 and continuing each Monday thereafter regarding his compliance with this Order, including an updated and cumulative listing of billings sent out and revenues received to date.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfer
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC RECEIVED
EMERGENCY FINANCIAL MANAGER CITY OF PONTIAC

MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

2010 OCT 13 P 12:09

Dated: September 30, 2010

ORDER NO. S-22

RE: Authorization to Request Reimbursement of Eligible Mosquito Control Activity Under Oakland County's West Nile Virus Fund Program

TO: Allan Schneck, Director, Dept. of Public Works & Utilities
Mark Hotz, City Attorney
Yvette Talley, City Clerk
John Naglick, Acting Finance Director
Carl Johnson, Controller (Plante & Moran)

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; and (f) Make, approve or disapprove any appropriation, contract, expenditure...".

It is hereby ordered:

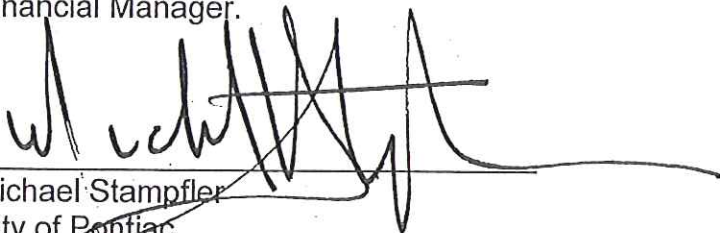
- (1) Effective September 30, 2010, Allan Schneck, Director of Public Works & Utilities for the City of Pontiac is authorized and directed, as agent for the municipality, in the manner and to the extent provided through the Oakland County Board of Commissioners annual budget, to request

reimbursement of eligible mosquito activity under Oakland County's West Nile Virus Fund Program.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfer
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

RECEIVED
CITY OF PONTIAC

2010 OCT 12 P 4:29

Dated: October 12, 2010

ORDER NO. S-23

RE: Memorandum of Understanding with Oakland County Sheriff's Office
for Police Services and Police/Fire Dispatch Services

TO: Val Gross, Police Chief
Mark Hotz, City Attorney
Yvette Talley, City Clerk
John Naglick, Acting Finance Director
Carl Johnson, Controller (Plante & Moran)

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(a) Analyze factors and circumstances contributing to the financial condition of the unit of local government and recommend steps to be taken to correct the condition; (e) 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; (f) Make, approve or disapprove any appropriation, contract, expenditure...; and (o) Enter into agreements with other units of local government for the provision of services."

In the fiscal year 2010-2011, the City of Pontiac faces a General Fund Operating deficit of nearly \$9,000,000. If immediate action is not taken, that deficit will continue to grow in future years.

As Emergency Financial Manager, state law provides that I must develop a Financial Plan for the City to live within available resources. That Financial Plan was presented to the State Treasurer on September 1, 2010 and is posted on the City website.

Providing police services is among the fundamental services to be provided by any municipality to citizens.

The dire financial situation of Pontiac has reached a point where it is no longer economically feasible to maintain a City Police Department. Currently, at least 12 sworn officer positions are contemplated for layoff prior to December 31, 2010.

In order to avoid further police staff reductions, to maintain and improve police services to the public and to reduce costs, I have sought and received a proposal dated October 8, 2010 from the Oakland County Sheriff's Office to provide all police services and police/fire dispatch services in the City of Pontiac effective December 1, 2010 ("OCSO Proposal").

The OCSO Proposal, when enacted, will:

- (A) Continue police operations at the Police Station in Pontiac;
- (B) Maintain current police staffing levels at 74 sworn officers;
- (C) Place more sworn officers "on the streets" to timely respond to citizen calls and complaints;
- (D) Provide "24/7" contact between the public and OCSO at Police Station in Pontiac;
- (E) Provide employment opportunities to all full-time Pontiac Police Department officers and dispatchers, subject to OCSO and County rules and regulations;
- (F) Save Pontiac over \$2,000,000 annually in reduced, direct budget expenses and additional support costs for police and dispatch services.

It is hereby ordered:

- (1) The City of Pontiac and Oakland County Sheriff's Office enter into the attached Memorandum of Understanding dated October 8, 2010 ("MOU").
- (2) This Order, the MOU and the OCSO Proposal shall be delivered to the authorized representatives of the Pontiac Police Supervisors Association, Pontiac Police Officers Association and Pontiac Police & Fire Dispatchers Association and Teamsters Local 214.
- (3) The Police Chief shall prepare a written report no later than October 19, 2010 to the Emergency Financial Manager regarding a transition plan for police and dispatch services to OCSO.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfler
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is by and between the Oakland County Sheriff Office ("OCSO") and the City of Pontiac ("COP"), dated October 8, 2010.

WITNESS

WHEREAS, COP desires to enter into a contract with OCSO to provide police services and fire dispatch services; effective December 1, 2010;

WHEREAS, OCSO has submitted the attached Proposal dated October 8, 2010 to provide police services and fire dispatch services to COP;

WHEREAS, COP, after careful consideration of the Proposal and for the benefit of the health, safety and welfare of the citizens of COP, enters into this Memorandum of Understanding:

1. COP accepts the Proposal of OCSO dated October 8, 2010 to provide police and dispatch services.
2. COP and OCSO agree to take the necessary steps to enter into binding contracts for police services and fire dispatch services including, but not limited to, the approval of the Oakland County Board of Commissioners.
3. COP and OCSO agree to an effective date of December 1, 2010 for commencement of the contracts.
4. Both COP and OCSO acknowledge and agree that the acceptance of the Proposal and the Memorandum of Understanding are not binding contracts, but provide the basis for the terms and conditions of binding contracts, subject to final approval by the Oakland County Board of Commission and execution of the Contracts by the parties.

OAKLAND COUNTY SHERIFF'S OFFICE

By: _____

Michael Bouchard
Sheriff, Oakland County

CITY OF PONTIAC

By: _____

Michael Stampfer
Emergency Financial Manager
City of Pontiac

COUNTY OF OAKLAND
OFFICE OF THE SHERIFF
MICHAEL J. BOUCHARD



October 8, 2010

I. CONCEPT OVERVIEW

A. HISTORY OF OAKLAND COUNTY SHERIFF'S OFFICE (O.C.S.O.) CONTRACTING

For over fifty (50) years, the O.C.S.O. has been the leader in police contracting with communities in Oakland County and a model for the rest of the state. The O.C.S.O. currently has the largest number of contracted deputies in the State of Michigan.

The contracts with these municipalities have grown to a total of two hundred forty-one (241) deputies. The Sheriff's Office provides contracted police services to eleven (11) townships, two (2) villages, and two (2) cities, and all of the county parks (see Schedule B). The number of contracted deputies range from four (4) in the Charter Township of Royal Oak to sixty (60) in the City of Rochester Hills. Current O.C.S.O. contracts provide services to over 275,000 Oakland County residents, which represent approximately 23% of the County's population. One in four people in Oakland County currently have the Sheriff's Office as their local police department.

B. SUPPORT SERVICES

Additionally, O.C.S.O. has the following support units:

- Detective Bureau
- Warrant Unit
- Fire/Arson Unit
- Special Investigations Unit (Professional Standards)
- Computer Crimes Unit
- Auto Theft Unit
- Fugitive Apprehension Team (F.A.T.)
- Forensic Lab
- Narcotic Enforcement Team (N.E.T.)
- Special Response Team (S.R.T.)
- Gang Task Force

- Crime Suppression Task Force (C.S.T.F.)
- Joint Terrorism Task Force
- Marine Safety Unit
- Scuba Dive Rescue Team
- Alcohol Enforcement Unit (A.E.U.)
- K-9 Tracking/Drug and Bomb Dogs
- Aviation Unit
- Traffic Enforcement Unit
- Crash Reconstruction Unit.

The Oakland County Sheriff's Office requires all deputies to participate in intensive in-service training programs. Currently, the department has over thirty-three (33) training programs which are certified by Michigan Commission on Law Enforcement Standards (M.C.O.L.E.S.) and by the Corrections Officers Training Council. Each month, deputies must report to the gun range in order to fire a prescribed shooting course or use of force continuum training. Deputies are assigned to training groups and are regularly scheduled to receive instruction in the following primary examples:

- First Aid
- CPR
- Less Lethal Training
- Domestic Violence
- Anti-Terrorism
- Civil Liability
- High Speed Pursuit
- Use of Force Continuum
- Report Writing
- Preliminary Breath Testing
- Scuba
- Special Response and Active Shooter Training
- Ethnic Diversity Training
- Legal Updates

Local colleges and police academies provide advanced training, which is not conducted in-house by the Sheriff's Office. During the 2009 calendar year, department training totaled approximately 65,040 hours. The Office has over 1,211 personnel.

II. THE CITY OF PONTIAC PROPOSAL**A. STAFFING AND COST**

The contracting of a total of seventy-four (74) Oakland County Sheriff's Office sworn personnel is proposed, which equals current Pontiac Police Department staffing levels.

PROPOSED MANPOWER (2010 RATES)*

	<u>2011 Annual Rate</u>	<u>Total</u>
1 Captain	\$171,620	\$171,620
2 Lieutenants	\$150,605	\$301,210
1 Detective Sergeant	\$139,553	\$139,553
6 Patrol Sergeants	\$135,946	\$815,676
10 Patrol Investigators	\$125,135	\$1,251,350
53 Patrol Deputies	\$121,348	\$6,431,444
Approximate Overtime		<u>\$671,368</u>
		\$9,782,221
Clerical Support		\$87,000
Miscellaneous expenses (phones, etc.)		\$28,000
Fire Dispatch (average 9,219 calls @ \$23.93 per call)		<u>\$220,610</u>
		\$10,117,831
Sheriff PTNE hours @ \$18.20		
12 hours a day, 7 days a week for building security		\$79,498
Revenue from Pontiac Schools		(\$125,135)
School Liaison		<u>\$125,135</u>
Total Contract Cost		\$10,197,329
School Crossing Program		<u>\$62,640</u>
Total Contract Cost		\$10,259,969

* The average increase per year has been 3.5% between 1992 and 2010.

The Captain would function as the Station Commander/Police Chief. He/She would be the direct liaison between the Sheriff's Office and the City. The Captain would report on a regular basis to an Official designated by the City in order to keep the City fully informed. The City will have input into the selection of the Station Commander. The Sheriff's Office will provide all law enforcement services, including the enforcement of motor vehicle and traffic City Ordinances.

PROPOSED STAFFING/SHIFT ASSIGNMENTS

	<u>Day Shift</u>	<u>Afternoon Shift</u>	<u>Midnight Shift</u>
Captain	1	0	0
Patrol Lieutenant	1	1	0
Detective Sergeant	1	0	0
Patrol Sergeants	2	2	2
Patrol Deputies	13	17	14
Patrol Warrant Deputy	1	0	0
Patrol Investigators	10	0	0
School Liaison Officer	1	0	0
Power Shift	0	3 (7p.m.-3a.m.)	0
Directed Patrol	<u>0</u>	<u>5</u> (Flex)	<u>0</u>
	30	28	16

B. PATROL DIVISION DEPLOYMENT

Resource allocation to the following shifts are predicated on the assumption of a 3 man support/power shift (7 p.m. to 3 a.m.) and adjusted shift strengths based on calls for service during time of day.

This plan includes management of all leave time. All assigned personnel will rotate their days off every 28 days. Wednesday is our assigned training day and all shift officers are scheduled to work that day. On those occasions when we have no in-service training scheduled, all shift officers would be deployed to patrol and special details with some being utilized for saturation/directed patrol projects, complaint follow up, assist the Detective Bureau, etc. Based on the current Pontiac Police Department budget as presented to the County, this Patrol Division deployment will result in an increase in patrols within the City.

Day Shift**Total 17 Sworn Officers on Shift.**

- (1) Patrol Lieutenant
- (2) Patrol Sergeants
- (13) Deputies
- (1) Warrant Deputy

This will allow for 9 deputies 4 days a week and 8 deputies 2 days a week. On Wednesdays, we will have a shift maximum total of 13 deputies. This shift will be augmented by (1) day shift Lieutenant and (2) day shift Sergeants.

Afternoon Shift**Total 23 Sworn Officers (including Power Shift).**

- (1) Patrol Lieutenant
- (2) Patrol Sergeants
- (17) Deputies

(3) Deputies – Power Shift (7 p.m. to 3 p.m.)

This will allow for 11 to 13 deputies 4 days a week and 12 to 14 deputies 2 days a week. On Wednesdays, we will have a shift maximum total of 17 deputies. This shift will be augmented by (2) afternoon shift Sergeants.

Midnight Shift

Total 16 Sworn Officers

(2) Patrol Sergeants

(14) Deputies

This will allow for 10 to 12 deputies 2 days a week and 9 to 11 deputies 4 days a week. On Wednesdays, we will have a shift maximum total of 14 deputies. This shift will be augmented by (2) midnight shift Sergeants.

Directed Patrol Unit (DPU)

A five (5) man Directed Patrol Unit would be integrated into the patrol deployment. Their shift assignment would flex based on the needs of the City. A Directed Patrol Unit is a small specialty trained group of deputies who are assigned to specific problems occurring in various areas. They remain dedicated to solving that problem and have more flexibility and tactics available to them than general patrol officers. They rely on close involvement and interaction with community members to obtain the goals important to both.

C. INVESTIGATOR DEPLOYMENT

The Investigative Unit will be supervised by one (1) Detective Sergeant who will be supervised by one (1) Patrol Lieutenant.

A total of ten (10) detectives would be assigned to the criminal investigative unit, seven (7) of which will be general assignment detectives, one (1) assigned to the Narcotics Enforcement Team (N.E.T.), one (1) to the Gang Task Force and one (1) to the Auto Theft Unit. The position funded by the Pontiac School District as a School Liaison Officer would be assigned in the Investigative Unit.

D. CONTRACT INCLUSIONS

- ♦ Salary
- ♦ Group Life
- ♦ Patrol Cars
- ♦ Retirement
- ♦ Disability
- ♦ Detective Cars
- ♦ Holiday Pay
- ♦ Workers Compensation
- ♦ Sick Leave
- ♦ Annual Leave

- ♦ Optical
- ♦ Unemployment Compensation
- ♦ Dental
- ♦ Uniform Cleaning
- ♦ Uniform Costs
- ♦ Radio/Prep Rental
- ♦ Clothing Allowance
- ♦ Deputy Supplies (includes all weapons)
- ♦ Liability Insurance
- ♦ Patrol In-Car Video Cameras
- ♦ Dispatch Services
- ♦ Car Insurance
- ♦ Work Station Computers
- ♦ FICA
- ♦ Hospitalization
- ♦ Patrol Car Computers
- ♦ Computerized Mug System

E. RESERVE DEPUTY PROGRAM

The Oakland County Sheriff's Office has a highly successful Reserve Deputy Program with over one hundred ten (110) volunteer deputies.

In 2009, these Reserve Deputies logged over 22,655 hours of service to the citizens of Oakland County at no cost to the taxpayers.

Reserve Deputies ride as a second officer in patrol cars, work security and high school athletic events, parades and emergency situations or disasters.

The Reserve Program would be expanded to serve the citizens of Pontiac. Area residents would be eligible to apply, and if accepted, would receive 100 hours of training via the Oakland County Sheriff's Office Reserve Deputy Academy. Current Pontiac Reserves would be encouraged to apply to the Oakland County Sheriff's Office. This training would be at no cost to the applicant or city. The City of Pontiac would incur no liability or cost for the expansion of this program. The Oakland County Sheriff's Office will annually solicit and recruit Reserve candidates from the City of Pontiac.

F. DISPATCH SERVICE

The Sheriff would discontinue the Police Dispatch operation currently in place as part of the City police department. All police dispatch services are included in the contracting price. All current police and fire dispatching operations would be consolidated in the Oakland County Sheriff's Office Central Dispatch system.

G. PONTIAC STATION

The Oakland County Sheriff's Office will establish a Sheriff's Station at the current police station in the City of Pontiac. This Station will be utilized by

the contracted deputies for report writing, interviewing and taking complaints, in the same manner that currently exists.

The costs of maintenance, utilities, etc., would be a City responsibility. The Sheriff would provide computers, phones, etc. The Sheriff would attempt to utilize all existing furniture.

H. RECORDS MANAGEMENT

The Sheriff would maintain a records unit at a Pontiac site. Records would be maintained at our central Records Bureau, which is located in the City of Pontiac. This would be consistent with the records management process in place at all Sheriff's substations.

This consolidated approach has proven to be operationally sound, as well as cost effective, making the best use of the support staff resources.

I. LOCKUP

The Sheriff would discontinue the use of the Police Lock up facility within the current police building.

Utilizing the staffing numbers contained in this proposal, the benefits achieved by keeping the lock up operational, full time or part time, are outweighed by committing the manpower to the emergency response and patrol functions. This also eliminates the current liability the City has operating its own lock up. Lodging of person(s) taken into custody would be accomplished by utilizing the Oakland County Jail following Booking guidelines. This practice would be consistent with all current Sheriff's substations and has proven functional. There will be no additional costs for prisoner housing, maintenance and meals.

J. PROPERTY ROOM

The Sheriff would operate a property room at a Pontiac site. The existing Pontiac Police property room would be consolidated and integrated with the existing Property Room that serves all Oakland County Sheriff's operations.

The Sheriff's consolidated Property Room is located in the City of Pontiac and currently serves fifteen (15) communities and all Sheriff's support services.

Efficiencies from consolidation into one property unit have been enhanced and enabled by the implementation of the most recent property management computer software and technological systems.

K. REPORTING AND LIAISON DUTIES

As the Station Commander, the Captain of the Pontiac station would be the official point of contact between the Sheriff's Office and the Official

designated by the City. He/she will maintain regular lines of communication with that Official and will be responsive to administrative and operational needs of the City, as related to him by the designated Official. Preparation of informational staff reports and attendance at requested meetings will be complied with weekly or when requested by the designated Official. All required State and Federal reporting of crimes will be submitted by the Oakland County Sheriff's Office.

L. EQUIPMENT

The County would be prepared to negotiate on the purchase of any equipment that the City would need to dispose of should this proposal be adopted.

III. CURRENT PONTIAC OFFICERS/DISPATCHERS

A. OFFICERS DISPLACED BY CONTRACT

All full-time Patrol Officers, Detectives, Sergeants, Lieutenants, Captains and the Chief are eligible to become full-time sworn members subject to the following criteria:

REQUIREMENTS

1. May be hired as Provisional Deputy:
 - (a) Must meet minimum qualifications for Deputy II:
 - Currently M.C.O.L.E.S. Licensed
 - Pass Background Investigation & Oral Interview
 - Pass Physical Exam
 - Pass Drug Screen

All current Pontiac full-time Dispatchers are eligible to become full-time Oakland County Sheriff's Office Dispatch Specialists.

IV. PROPRIETARY VS. CONTRACTUAL SERVICES

A. LIABILITY

All liability arising out of the conduct of the contracted deputies, whether they be acts or omissions, shall be the sole responsibility of the County of Oakland. The contract will hold the City of Pontiac harmless while assuming all liability for all conduct, including motor vehicle operation. Under the current Proprietary Services, the City of Pontiac assumes all responsibility for the conduct of its police officers.

B. TRANSFER OF PERSONNEL

Should it become desirable to remove a contracted employee from his/her assignment in Pontiac, the Official designated by the City need only request the deputy's transfer. It has been found that not all employees fit into all areas. If a deputy is not compatible with the area, he/she will be transferred to another work location where he/she might better fit in. This allows even more direct control over staffing than currently is possible.

V. CONTRACT IMPLEMENTATION AND CANCELLATION**A. IMPLEMENTATION**

The contract with the City of Pontiac could start as soon as it is approved by the Oakland County Board of Commissioners, the City of Pontiac, and the Sheriff.

B. CANCELLATION

The contract can be terminated by either side, for any reason, by giving six (6) months written notice or an earlier date, if mutually agreed upon by the parties.

VI. CONCLUSION

The staffing levels detailed in this proposal are based on the existing staffing for police services as requested by the City of Pontiac. Every effort has been made to design a model that would provide an acceptable and safe level of police service to the city. We believe that both your fiduciary responsibility to the taxpayers, as well as the core mission of government to protect its citizenry can be met even as we save you \$2 million dollars annually. Additionally, the long-term health of the city would be greatly enhanced as all future legacy and most capital costs would disappear. The Oakland County Sheriff's Office remains committed to continue working with city officials on this proposal and all efforts to identify innovative solutions that will protect both your budget and your citizens.

OCSO OCTOBER 8TH PROPOSAL ATTACHMENTS

- 1) Why the City of Pontiac Should Contract With the Oakland County Sheriff
- 2) Oakland County Sheriff's Priorities During the Contract in the City of Pontiac
- 3) Oakland County Patrol Services Annual Contract Rate (Deputy I to Captain)
- 4) Oakland County Public Services Committee Resolution Regarding Standard Law Enforcement Services Rates for 2011
- 5) Dispatching Protocols

Attachment 1

Why the City of Pontiac Should Contract With the Oakland County Sheriff

**OAKLAND COUNTY SHERIFF'S OFFICE PRIORITIES DURING THE CONTRACT
IN THE CITY OF PONTIAC**

1. To deliver professional, effective law enforcement services to all the residents, businesses and visitors in the City of Pontiac.
2. To improve statistics regarding criminal activity while remaining responsive to the citizens and City's needs, measured against 2010 CLEMIS reports.
3. To develop and maintain the confidence and a mutual respect with and for the citizens.
4. To manage the budgeted resources effectively, while remaining flexible to changing needs or trends.

PERFORMANCE INDICATORS FOR 2011

1. Reduce the drug trafficking/gun activity in the City
2. Decrease response time
3. Increase in community outreach programs
4. Increase in total patrol hours and police visibility
5. Increase in total investigative hours
6. Increase in warrants issued
7. Increase in officer training hours

WHY THE CITY OF PONTIAC SHOULD CONTRACT WITH THE OAKLAND COUNTY SHERIFF

- Over 50 years of highly successful police contracting services. Contracts for police services to 275,000 current Oakland County residents.
- Contracts with 11 Townships, 2 Cities and 2 Villages
- Budget Issues - Easy! County has a history of conservative cost increases.
- Support Services - Easy access to all our support services.
- Training – we provide all the training for our Deputies.
- Liability - we assume all liability for the actions of our Deputies.
- Assignments – Flexibility and capability under contract by both the City and County to reassign command officers or deputies as needed to obtain the best results for both parties.
- Capital Outlay Cost – none. County provides all equipment.
- Dispatch services – included.
- Operating costs – included.
- Workers Comp/Sick Time – Contracted Deputy replaced after 5 days.
- Legacy Costs Go Away – County assumes all retirement and benefit costs.
- Records Responsibility – none. County assumes all record keeping responsibilities.
- Property Responsibility – none. County runs the property evidence storage centrally.
- Union Issues – none. County handles all labor negotiations and disciplines.
- Contract can be terminated by giving six months written notice. The OCSO has never cancelled a contract and no local community has ever cancelled a contract.

Attachment 2

Oakland County Sheriff's Priorities During the Contract in the City of Pontiac

Attachment 3

Oakland County Patrol Services Annual Contract Rate (Deputy I to Captain)

**OAKLAND COUNTY, MICHIGAN
2011
LAW ENFORCEMENT PATROL SERVICES
ANNUAL CONTRACT RATE**

CAPTAIN

<u>COST COMPONENTS</u>	<u>2010 Rate</u>	<u>2011 Rate</u>	<u>Increase</u>	<u>% increase</u>	<u>2010 OT Rate</u>	<u>2011 OT Rate</u>	(inc. F/B)
Salary	\$ 91,564	\$ 91,568			N/A	N/A	
Weekend Duty Pay	\$ 6,066	\$ 6,066					
SALARY TOTAL	\$ 97,630	\$ 97,634	\$ 4	0.00%			
FICA	\$ 7,469	\$ 7,469					
Retirement	\$ 30,685	\$ 33,772					
Hospitalization	\$ 10,704	\$ 11,132					
Defined Contr Match	\$ -	\$ -					
Group Life	\$ 293	\$ 430					
Worker's Comp	\$ 2,544	\$ 2,544					
Disability	\$ 342	\$ 303					
Unemployment	\$ 195	\$ 430					
Dental	\$ 698	\$ 705					
Optical	\$ 54	\$ 55					
FRINGE BENEFIT TOT/	\$ 52,984	\$ 56,839	\$ 3,855	7.28%			
Transportation	\$ 9,840	\$ 9,840					
Deputy Supplies	\$ 393	\$ 394					
Uniform Cost	\$ 466	\$ 467					
Equipment Rental	\$ 180	\$ 180					
Liability Ins	\$ 595	\$ 815					
OPERATING TOTAL	\$ 11,474	\$ 11,696	\$ 222	1.93%			
CLEMIS	\$ 163	\$ 163					
Dispatch	\$ 5,134	\$ 5,288					
OPER. SUPPORT TOT/	\$ 5,297	\$ 5,451	\$ 154	2.91%			
TOTAL COST	\$ 167,385	\$ 171,620	\$ 4,235	2.53%			
CHANGE OVER/(UNDER) PREVIOUS YEAR		\$ 4,235					

OAKLAND COUNTY, MICHIGAN
2011
LAW ENFORCEMENT PATROL SERVICES
ANNUAL CONTRACT RATE

LIEUTENANT

<u>COST COMPONENTS</u>	<u>2010 Rate</u>	<u>2011 Rate</u>		<u>% Increase</u>	<u>2010 OT Rate</u>	<u>2011 OT Rate</u>	<u>(inc. F/B)</u>
Salary	\$ 83,240	\$ 83,244			\$ 83.50	\$ 85.36	
SALARY TOTAL	\$ 83,240	\$ 83,244	\$	4	0.00%		
 FICA	\$ 6,368	\$ 6,368					
Retirement	\$ 26,162	\$ 28,794					
Hospitalization	\$ 10,704	\$ 11,132					
Defined Contr Match	\$ -	\$ -					
Group Life	\$ 250	\$ 366					
Worker's Comp	\$ 2,169	\$ 2,169					
Disability	\$ 291	\$ 258					
Unemployment	\$ 166	\$ 366					
Dental	\$ 698	\$ 705					
Optical	\$ 54	\$ 55					
FRINGE BENEFIT TOT/	\$ 46,863	\$ 50,214	\$	3,351	7.15%		
 Transportation	\$ 9,840	\$ 9,840					
Deputy Supplies	\$ 393	\$ 394					
Uniform Cost	\$ 466	\$ 467					
Equipment Rental	\$ 180	\$ 180					
Liability Ins	\$ 595	\$ 815					
OPERATING TOTAL	\$ 11,474	\$ 11,696	\$	222	1.93%		
 CLEMIS	\$ 163	\$ 163					
Dispatch	\$ 5,134	\$ 5,288					
OPER. SUPPORT TOT/	\$ 5,297	\$ 5,451	\$	154	2.91%		
 TOTAL COST	\$ 146,874	\$ 150,605	\$	3,731	2.54%		
 CHANGE OVER/(UNDER) PREVIOUS YEAR		\$ 3,731					

**OAKLAND COUNTY, MICHIGAN
2011
LAW ENFORCEMENT PATROL SERVICES
ANNUAL CONTRACT RATE**

PATROL SERGEANT

<u>COST COMPONENTS</u>	<u>2010 Rate</u>	<u>2011 Rate</u>		<u>% Increase</u>	<u>2010 OT Rate</u>	<u>2011 OT Rate</u>	(inc. F/B)
Salary	\$ 75,673	\$ 75,676			\$ 75.91	\$ 77.60	
SALARY TOTAL	\$ 75,673	\$ 75,676	\$	3	0.00%		
FICA	\$ 5,789	\$ 5,789					
Retirement	\$ 23,784	\$ 26,176					
Hospitalization	\$ 10,704	\$ 11,132					
Defined Contr Match	\$ -	\$ -					
Group Life	\$ 227	\$ 333					
Worker's Comp	\$ 1,972	\$ 1,972					
Disability	\$ 265	\$ 235					
Unemployment	\$ 151	\$ 333					
Dental	\$ 698	\$ 705					
Optical	\$ 54	\$ 55					
FRINGE BENEFIT TOT/	\$ 43,644	\$ 46,730	\$	3,086	7.07%		
Transportation	\$ 5,489	\$ 5,489					
Deputy Supplies	\$ 393	\$ 394					
Uniform Cost	\$ 466	\$ 467					
Equipment Rental	\$ 924	\$ 924					
Liability Ins	\$ 595	\$ 815					
OPERATING TOTAL	\$ 7,867	\$ 8,089	\$	222	2.82%		
CLEMIS	\$ 163	\$ 163					
Dispatch	\$ 5,134	\$ 5,288					
OPER. SUPPORT TOT/	\$ 5,297	\$ 5,451	\$	154	2.91%		
TOTAL COST	\$ 132,481	\$ 135,946	\$	3,465	2.62%		
CHANGE OVER/(UNDER) PREVIOUS YEAR		\$ 3,465					

OAKLAND COUNTY, MICHIGAN
2011
LAW ENFORCEMENT PATROL SERVICES
ANNUAL CONTRACT RATE

DETECTIVE SERGEANT

<u>COST COMPONENTS</u>	<u>2010</u> <u>Rate</u>	<u>2011</u> <u>Rate</u>		<u>%</u> <u>Increase</u>	<u>2010 OT</u> <u>Rate</u>	<u>2011 OT</u> <u>Rate</u>	(inc. F/B)
Salary	\$ 75,673	\$ 75,676			\$ 75.91	\$ 77.60	
SALARY TOTAL	\$ 75,673	\$ 75,676	\$	3	0.00%		
FICA	\$ 5,789	\$ 5,789					
Retirement	\$ 23,784	\$ 26,176					
Hospitalization	\$ 10,704	\$ 11,132					
Defined Contr Match	\$ -	\$ -					
Group Life	\$ 227	\$ 333					
Worker's Comp	\$ 1,972	\$ 1,972					
Disability	\$ 265	\$ 235					
Unemployment	\$ 151	\$ 333					
Dental	\$ 698	\$ 705					
Optical	\$ 54	\$ 55					
FRINGE BENEFIT TOT/	\$ 43,644	\$ 46,730	\$	3,086	7.07%		
Transportation	\$ 9,840	\$ 9,840					
Deputy Supplies	\$ 393	\$ 394					
Uniform Cost	\$ 466	\$ 467					
Equipment Rental	\$ 180	\$ 180					
Liability Ins	\$ 595	\$ 815					
OPERATING TOTAL	\$ 11,474	\$ 11,696	\$	222	1.93%		
CLEMIS	\$ 163	\$ 163					
Dispatch	\$ 5,134	\$ 5,288					
OPER. SUPPORT TOT/	\$ 5,297	\$ 5,451	\$	154	2.91%		
TOTAL COST	\$ 136,088	\$ 139,553	\$	3,465	2.55%		
CHANGE OVER/(UNDER) PREVIOUS YEAR		\$ 3,465					

**OAKLAND COUNTY, MICHIGAN
2011
LAW ENFORCEMENT PATROL SERVICES
ANNUAL CONTRACT RATE**

DEPUTY II (With Fill-In)

COST COMPONENTS	2010 <u>Rate</u>	2011 <u>Rate</u>		<u>% Increase</u>	2010 OT <u>Rate</u>	2011 OT <u>Rate</u>	(inc. F/B)
Salary	\$ 65,803	\$ 65,803			\$ 66.01	\$ 67.48	
Court Appearance	\$ 3,178	\$ 3,178					
Overtime	\$ 3,036	\$ 3,036					
Fill-In:							
Holiday Pay	\$ 3,036	\$ 3,036					
Sick Leave	\$ 1,897	\$ 1,897					
Annual Leave	\$ 4,554	\$ 4,554					
Death Leave	\$ 95	\$ 95					
Fill-In Charge	\$ 9,582	\$ 9,582					
SALARY TOTAL	\$ 81,599	\$ 81,599	\$ -	0.00%			
FICA	\$ 6,242	\$ 6,242					
Retirement	\$ 25,647	\$ 28,225					
Hospitalization	\$ 10,704	\$ 11,132					
Defined Contr Match	\$ -	\$ -					
Group Life	\$ 245	\$ 359					
Worker's Comp	\$ 2,126	\$ 2,126					
Disability	\$ 286	\$ 253					
Unemployment	\$ 163	\$ 359					
Dental	\$ 698	\$ 705					
Optical	\$ 54	\$ 55					
FRINGE BENEFIT TOT/	\$ 46,165	\$ 49,457	\$ 3,292	7.13%			
Transportation	\$ 5,489	\$ 5,489					
Deputy Supplies	\$ 393	\$ 394					
Uniform Cost	\$ 466	\$ 467					
Equipment Rental	\$ 924	\$ 744					
Liability Ins	\$ 595	\$ 815					
OPERATING TOTAL	\$ 7,867	\$ 7,909	\$ 42	0.53%			
CLEMIS	\$ 163	\$ 163					
Dispatch	\$ 5,134	\$ 5,288					
OPER. SUPPORT TOT/	\$ 5,297	\$ 5,451	\$ 154	2.91%			
TOTAL COST	\$ 140,928	\$ 144,416	\$ 3,488	2.47%			
CHANGE OVER/(UNDER) PREVIOUS YEAR		\$ 3,488					

OAKLAND COUNTY, MICHIGAN
2011
LAW ENFORCEMENT PATROL SERVICES
ANNUAL CONTRACT RATE

DEPUTY II (No Fill-in)

COST COMPONENTS	2010 <u>Rate</u>	2011 <u>Rate</u>		<u>% Increase</u>	2010 OT <u>Rate</u>	2011 OT <u>Rate</u>	(inc. F/B)
Salary	\$ 65,803	\$ 65,803			\$ 66.01	\$ 67.48	
SALARY TOTAL	\$ 65,803	\$ 65,803	\$ -	0.00%			
FICA	\$ 5,034	\$ 5,034					
Retirement	\$ 20,682	\$ 22,761					
Hospitalization	\$ 10,704	\$ 11,132					
Defined Contr Match	\$ -	\$ -					
Group Life	\$ 197	\$ 290					
Worker's Comp	\$ 1,715	\$ 1,715					
Disability	\$ 230	\$ 204					
Unemployment	\$ 132	\$ 290					
Dental	\$ 698	\$ 705					
Optical	\$ 54	\$ 55					
FRINGE BENEFIT TOT/	\$ 39,446	\$ 42,185	\$ 2,739	6.94%			
Transportation	\$ 5,489	\$ 5,489					
Deputy Supplies	\$ 393	\$ 394					
Uniform Cost	\$ 466	\$ 467					
Equipment Rental	\$ 924	\$ 744					
Liability Ins	\$ 595	\$ 815					
OPERATING TOTAL	\$ 7,867	\$ 7,909	\$ 42	0.53%			
CLEMIS	\$ 163	\$ 163					
Dispatch	\$ 5,134	\$ 5,288					
OPER. SUPPORT TOT/	\$ 5,297	\$ 5,451	\$ 154	2.91%			
TOTAL COST	\$ 118,413	\$ 121,348	\$ 2,935	2.48%			
CHANGE OVER/(UNDER) PREVIOUS YEAR		\$ 2,935					

OAKLAND COUNTY, MICHIGAN
2011
LAW ENFORCEMENT PATROL SERVICES
ANNUAL CONTRACT RATE

DEPUTY II (No Fill-in & No Vehicle)

COST COMPONENTS	2010 <u>Rate</u>	2011 <u>Rate</u>		<u>% increase</u>	2010 OT <u>Rate</u>	2011 OT <u>Rate</u>	(inc. F/B)
Salary	\$ 65,803	\$ 65,803			\$ 66.01	\$ 67.48	
SALARY TOTAL	\$ 65,803	\$ 65,803	\$ -	0.00%			
FICA	\$ 5,034	\$ 5,034					
Retirement	\$ 20,682	\$ 22,761					
Hospitalization	\$ 10,704	\$ 11,132					
Defined Contr Match	\$ -	\$ -					
Group Life	\$ 197	\$ 290					
Worker's Comp	\$ 1,715	\$ 1,715					
Disability	\$ 230	\$ 204					
Unemployment	\$ 132	\$ 290					
Dental	\$ 698	\$ 705					
Optical	\$ 54	\$ 55					
FRINGE BENEFIT TOTAL	\$ 39,446	\$ 42,185	\$ 2,739	6.94%			
Transportation	\$ -	\$ -					
Deputy Supplies	\$ 393	\$ 394					
Uniform Cost	\$ 466	\$ 467					
Equipment Rental	\$ 180	\$ -					
Liability Ins	\$ 595	\$ 815					
OPERATING TOTAL	\$ 1,634	\$ 1,676	\$ 42	2.57%			
CLEMIS	\$ 163	\$ 163					
Dispatch	\$ 5,134	\$ 5,288					
OPER. SUPPORT TOTAL	\$ 5,297	\$ 5,451	\$ 154	2.91%			
TOTAL COST	\$ 112,180	\$ 115,115	\$ 2,935	2.62%			
CHANGE OVER/(UNDER) PREVIOUS YEAR		\$ 2,935					

**OAKLAND COUNTY, MICHIGAN
2011
LAW ENFORCEMENT PATROL SERVICES
ANNUAL CONTRACT RATE**

PATROL INVESTIGATOR

COST COMPONENTS	2010 <u>Rate</u>	2011 <u>Rate</u>		<u>% Increase</u>	2010 OT <u>Rate</u>	2011 OT <u>Rate</u>	(inc. F/B)
Salary	\$ 65,803	\$ 65,803			\$ 66.01	\$ 67.48	
SALARY TOTAL	\$ 65,803	\$ 65,803	\$ -	0.00%			
FICA	\$ 5,034	\$ 5,034					
Retirement	\$ 20,682	\$ 22,761					
Hospitalization	\$ 10,704	\$ 11,132					
Defined Contr Match	\$ -	\$ -					
Group Life	\$ 197	\$ 290					
Worker's Comp	\$ 1,715	\$ 1,715					
Disability	\$ 230	\$ 204					
Unemployment	\$ 132	\$ 290					
Dental	\$ 698	\$ 705					
Optical	\$ 54	\$ 55					
FRINGE BENEFIT TOT/	\$ 39,446	\$ 42,185	\$ 2,739	6.94%			
Transportation	\$ 9,840	\$ 9,840					
Deputy Supplies	\$ 393	\$ 394					
Uniform Cost	\$ 466	\$ 467					
Equipment Rental	\$ 180	\$ 180					
Liability Ins	\$ 595	\$ 815					
OPERATING TOTAL	\$ 11,474	\$ 11,696	\$ 222	1.93%			
CLEMIS	\$ 163	\$ 163					
Dispatch	\$ 5,134	\$ 5,288					
OPER. SUPPORT TOT/	\$ 5,297	\$ 5,451	\$ 154	2.91%			
TOTAL COST	\$ 122,020	\$ 125,135	\$ 3,115	2.55%			
CHANGE OVER/(UNDER) PREVIOUS YEAR		\$ 3,115					

OAKLAND COUNTY, MICHIGAN
2011
LAW ENFORCEMENT PATROL SERVICES
ANNUAL CONTRACT RATE

DEPUTY I (No Fill-In)

COST COMPONENTS	2010 <u>Rate</u>	2011 <u>Rate</u>		<u>% Increase</u>	2010 OT <u>Rate</u>	2011 OT <u>Rate</u>	(Inc. F/B)
Salary	\$ 48,960	\$ 48,960			\$ 49.11	\$ 50.21	
SALARY TOTAL	\$ 48,960	\$ 48,960	\$ -	0.00%			
FICA	\$ 3,745	\$ 3,745					
Retirement	\$ 15,388	\$ 16,935					
Hospitalization	\$ 10,704	\$ 11,132					
Defined Contr Match	\$ -	\$ -					
Group Life	\$ 147	\$ 215					
Worker's Comp	\$ 1,276	\$ 1,276					
Disability	\$ 171	\$ 152					
Unemployment	\$ 98	\$ 215					
Dental	\$ 698	\$ 705					
Optical	\$ 54	\$ 55					
FRINGE BENEFIT TOT/	\$ 32,282	\$ 34,431	\$ 2,150	6.66%			
Transportation	\$ 5,489	\$ 5,489					
Deputy Supplies	\$ 393	\$ 394					
Uniform Cost	\$ 466	\$ 467					
Equipment Rental	\$ 924	\$ 744					
Liability Ins	\$ 595	\$ 815					
OPERATING TOTAL	\$ 7,867	\$ 7,909	\$ 42	0.53%			
CLEMIS	\$ 163	\$ 163					
Dispatch	\$ 5,134	\$ 5,288					
OPER. SUPPORT TOT/	\$ 5,297	\$ 5,451	\$ 154	2.91%			
TOTAL COST	\$ 94,406	\$ 96,751	\$ 2,346	2.48%			
CHANGE OVER/(UNDER) PREVIOUS YEAR		\$ 2,346					

Attachment 4

**Oakland County Public Services Committee Resolution Regarding
Standard Law Enforcement Services Rates for 2011**

MISCELLANEOUS RESOLUTION #

BY: Public Services Committee, Jim Runestad, Vice-Chairperson

**IN RE: SHERIFF'S OFFICE - ESTABLISHMENT OF STANDARD LAW ENFORCEMENT SERVICES
CONTRACT RATES AND CONTRACT APPROVAL - JANUARY 1, 2011 THROUGH DECEMBER 31, 2011**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS it is the policy of the Oakland County Board of Commissioners to permit the Sheriff's Office to enter into contracts with townships, villages and cities for the purpose of providing Sheriff patrol services; and
WHEREAS new contract rates have been developed for the 12-month period commencing January 1, 2011, through December 31, 2011, consistent with the attached schedule; and

WHEREAS a proposed agreement has been developed and is attached; and

WHEREAS Corporation Counsel has reviewed the agreement.

NOW THEREFORE BE IT RESOLVED that the following rates be established per officer for Law Enforcement Services for the period January 1, 2011, through December 31, 2011:

<u>Contract</u>	<u>2011</u>
Captain	\$171,620
Lieutenant	150,605
Patrol Sergeant	135,946
Det. Sergeant	139,553
Dep II (w/fill)	144,416
Dep II (no-fill)	121,348
Dep II (no-fill/no vehicle)	115,115
Patrol Inv.	125,135
Dep I (no-fill)	96,751

Chairperson, on behalf of the Public Services Committee, I move adoption of the foregoing resolution.

PUBLIC SERVICES COMMITTEE

Attachment 5

Dispatching Protocols

DISPATCHING PROTOCOLS

Fire Dispatching

We are a leader in Michigan being the only department that is certified in both Emergency Medical Dispatch (EMD) and Emergency Fire Dispatch (EFD). This allows us to in effect become the first-first responder to any incident. Using a horizontal dispatch model of separate call taker and radio dispatcher, we can stay on the telephone longer with callers without delaying or failing to pay attention to Firefighters and EMS responders. We have experience in the apparatus style of dispatch that Pontiac Fire Department uses, as well as station dispatch model. This year to date we have already dispatched over 10,000 Fire Department Runs. We use the standard pre-announce and toning process that Pontiac Fire Department uses and can easily be tied into their radio system for toning/paging functionality. We also send dispatch run information to alpha-numeric pagers for EMS/Firefighters to assist in their report writing. We use a CAD system that interfaces with the Fire Records Management System (FRMS). We are the SouthEastern Michigan "Red" or primary Michigan Box Alarm System (MABAS) dispatch center, coordinating all large scale disasters and providing interoperability service between specialty fire service teams. Dispatch services shall be conducted under current OCSO procedures/policies and/or standards.

Police Dispatching

We have 18 dedicated 9-1-1 trunks as well as 20 additional telephone lines for receiving calls from the public. This year we invested in a \$500,000.00 9-1-1 system upgrade that improves the call taking process. We are able to provide the same level of dispatch service that Pontiac Police Department dispatch does with some additional services. A command sergeant is on duty in the dispatch center 24x7. The sergeant is able to quickly access all of the specialty units of the Sheriff's Office (Air Support, K-9, Crash Investigators, Arson Investigators, Crime Scene Technicians, etc...). We can offer lockout service to residents and business visitors. Our deputies respond to medical runs to assist residents and EMS responders. We have redundant power, communications, and CAD systems in our center. We have 46 dispatch specialists available for call in, at any time. We have the CLEMIS support team housed in the same facility and get a faster response to technology related failures than any other dispatch center belonging to CLEMIS.



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER

MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

RECEIVED
CITY OF PONTIAC

2010 OCT 12 P 4: 29

Dated: October 12, 2010

ORDER NO. S-24

RE: Audit of Police Department Property/Evidence Room

TO: Val Gross, Police Chief
Mark Hotz, City Attorney
Yvette Talley, City Clerk
John Naglick, Acting Finance Director
Carl Johnson, Controller (Plante & Moran)
William Kowalski (Rehmann Robson)

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; and (f) Make, approve or disapprove any appropriation, contract, expenditure...".

On August 13, 2010, I issued Order NO. S-8 concerning a contract with Rehmann Robson to conduct an audit of the 2009-2010 fiscal year for the City of Pontiac and affiliated entities and funds.

Consistent with Order No. S-8, the City Attorney advised, in writing, the Mayor, City Council, City Department Heads and the head of all City of Pontiac affiliated entities and funds that Rehmann Robson will conduct the 2009-2010 Fiscal Year Audit. In addition, the notification of Order No. S-8 also included the express direction that "The Emergency Financial Manager orders the prompt and full cooperation of all City of Pontiac elected and appointed officials, department heads, employees and all other individuals with responsibility for the City of Pontiac, its affiliated entities and funds. Such prompt and full

cooperation, along with providing accurate and complete information to Rehmann Robson is essential in order for the City to timely complete and submit its annual audit to the State of Michigan, as required by law, prior to December 31, 2010." Order No. S-8 remains in full force and effect.


It is hereby ordered:

- (1) Rehmann Robson, and/or its affiliate Kerby Bailey, shall immediately conduct an audit of the Pontiac Police Department Property/Evidence Room.
- (2) Rehmann Robson shall issue a report by October 26, 2010 to the Emergency Financial Manager concerning the Pontiac Police Department Property/Evidence Room which shall include, but not be limited to:
 - A) A complete inventory of all property and evidence held by the Pontiac Police Department;
 - B) A review of all written property/evidence room policies and procedures and compliance therewith.
- (3) The Police Chief shall advise all members of the Pontiac Police Department of this Order.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfler
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

Dated: October 14, 2010

ORDER NO. S-25

RE: Contract with SARCOM for Information Technology Services

TO: Richard Seay, Information Technology Manager
John Naglick, Acting Finance Director
Carl Johnson, Controller (Plante & Moran)
John Strauss, Vice President (SARCOM)

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; and (f) Make, approve or disapprove any appropriation, contract, expenditure..."

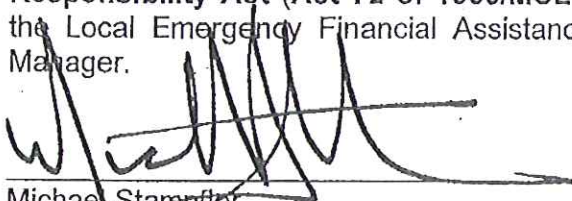
It is hereby ordered:

- (1) A contract dated October 14, 2010 between SARCOM and the City of Pontiac is hereby approved, effective October 18, 2010.
- (2) SARCOM shall report to the Emergency Financial Manager or his designee on all matters pertaining to the contract with the City of Pontiac.
- (3) The Acting Finance Director shall provide SARCOM with an Order No. S-8 dated August 13, 2010 issued by the Emergency Financial Manager. SARCOM shall cooperate fully in any requests made by the City Auditor, Rehmann Robson.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfer
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



Proposed Contract for:

City of Pontiac

Information Services Management & Operations

Presented by SARCOM Inc.

Joe Morley
Account Manager
joe.morley@sarcom.com
616-974-5803



October 5, 2010

City of Pontiac
47450 Woodward Avenue
Pontiac, Michigan 48342

On behalf of SARCOM, we thank you for the opportunity to respond to the City of Pontiac Request for Quote. Our objective is to clearly demonstrate our unmatched ability and qualifications to become your service provider. We are pleased to present SARCOM's proposal and are excited by the opportunity to further our successful relationship.

SARCOM's Team Experience and Qualifications

SARCOM has successfully engaged in numerous similar projects for large national clients consistently delivering desktop support services, server support services and network management services since our inception in 1983. Our track record and references speak for themselves.

In addition to our invaluable years of industry experience, SARCOM offers the manufacturer relationships and certifications that are essential in providing service and support for our clients. We are a Cisco Gold Certified Partner and a Hewlett Packard Platinum Partner, the highest levels of authorization for these manufacturers. SARCOM has successfully provided the following services for the City of Portage since 2000 as well as Wayne County Airport Authority since 2002:

- Desktop support and maintenance services
- Server and network management services
- Call center services
- Asset inventory management services
- Asset disposal services

In providing these services, SARCOM has built a qualified and certified on-site technical team as well as experienced off-site resources that have been engaged for projects or filling in as required. In addition, SARCOM already has the experienced call center established. All of these resources bring experience and knowledge to offer a successful and consistent delivery of services with minimal interruptions or transition issues for your end-users.

Overall Business Solution

SARCOM is currently proposing a total staff of three (3) on-site team members providing services with additional resources estimated that reside off-site for contract management, professional services, and infrastructure support. At SARCOM we pride ourselves on our ability to be a full partner with our clients, working closely with you to make sure we are providing the required and desired level of service. All projects and contracts are managed and closely monitored tracking all requirements to make sure we remain in complete compliance.

Fees

SARCOM's success stems from our ability to deliver high levels of service while managing the cost efficiencies for our clients. SARCOM has demonstrated our commitment to you by consistently delivering client-focused service with the flexibility required to best meet your business needs while maintaining an aggressive cost model. If chosen, SARCOM will continue to work with the City of Pontiac to reduce service costs through innovative processes and tools.

SARCOM believes that our proposal offers you the best overall solution to meet your desired business goals. We look forward to developing a successful relationship and working with the City of Pontiac to achieve your goals going forward. We sincerely hope to be chosen as your continued partner as your organization moves to the next level in delivering world class services to your end users. If you have any questions or need clarification of any points within our proposed contract, please feel free to contact me at 616-974-5803 or via email at joe.morley@sarcom.com.

Regards,

Joe Morley - SARCOM Account Manager



AGREEMENT BETWEEN CITY OF PONTIAC AND CONTRACTOR

AGREEMENT made as of the 6th day of October in the year 2010.

BETWEEN the City of Pontiac, 47450 Woodward Avenue, Pontiac, Michigan, hereinafter referred to as the "City" and SARCOM, Inc., 2900 Charlevoix Drive Suite 110, Grand Rapids, Michigan 49546, hereinafter referred to as the "Contractor";

ARTICLE I – DEFINITIONS

1. DEFINITION

1.1. Definitions

For purposes of contract implementation, the following definitions shall apply.

1.1.1 Contract

Contract shall mean an agreement executed by the City and the Contractor for the performance of the work and services, and the furnishing of materials or equipment, or both, as set forth in this document.

1.1.2. Contractor

Contractor shall mean the individual, partnership, or corporation (or legally authorized representative if the context so requires) who or which agrees, for a stipulated sum, to perform the work or service, or to furnish materials or equipment, or both, as set forth in this contract.

1.1.3. Cost

The total yearly cost proposed by the Contractor is to be paid to the Contractor in equal payments for all services, supply items, parts and subcontracting covered under this contract. The cost to the City of Pontiac will not exceed this number for services outlined in this Contract unless specifically agreed to by both the Contractor and the City.

1.1.4. Facility

A facility shall mean the Information Technology Division located at 47450 Woodward Avenue, City of Pontiac and the technology equipment to be defined through an asset inventory analysis upon contract start. As well as the equipment, tools, and furniture located in the Information Technology office area.

1.1.5 Information Technology Services Division (IT)

IT shall mean the City of Pontiac Information Technology Division which provides management information services for the City.

1.1.6 Work

Work shall mean all of the responsibilities and obligations of the contractor and its subcontractors at minimum providing the management, preventative maintenance, repairs, and servicing of the City as set forth in paragraphs 2.1 through 2.7.



ARTICLE 2 – BASIC SERVICES OF THE CONTRACTOR

2. SERVICES OF THE CONTRACTOR

2.1. Basic Services

The basic services of the Contractor consist of those described in Paragraphs 2.2 through 2.17.

2.2. Scope of the Work - General Statement

2.2.1. The Contractor and the City will form a partnership to provide information services management to the infrastructure of the City and, ultimately, the citizens of the community. The Contractor is to provide a complete solution which includes management of software, services, and overall information services management.

2.2.2. The Contractor will be responsible for the on-site staff.

2.2.3. The Contractor's resource management solution must provide the management expertise and the professional regimen required to meet the needs of Pontiac now and in the coming years. The Contractor will rely on proven methodologies and processes that provide a framework in which the unique demands of the City can be addressed.

2.2.4. The Contractor will leverage the standard policies and procedures that have been developed. This will ensure consistent delivery of professional and responsive solutions to the City. These standards need to be designed in a way that allows the staff adequate flexibility to adjust to City demands while still utilizing proven policies and procedures.

2.2.5. Hardware and Software Maintenance

The Contractor will maintain service on all hardware and software, as well as all replacements or upgrades maintained or purchased for the duration of the contract. The contractor will be financially responsible for the purchase of all hardware and software maintenance plans as specifically stated in section 9.1. Any City specific software application maintenance will be the responsibility of the City.

2.2.6. Voice Communication

The Contractor will be responsible for the management and operation of the voice communication system. Contractor will utilize existing and future third party contracts as required to support any voice communications. The cost of the third party solutions is the responsibility of the City. SARCOM will be responsible for the support on-site and any coordination efforts that go beyond the scope of their skillset of the on-site staff.

2.2.7. Cabling Infrastructure

The Contractor will contract the internal building cabling infrastructure to a third party contractor. SARCOM will be financially responsible for this cost.

2.2.8. Wide Area Network

The Wide Area Network will be managed by the contractor. Any third party costs for this service is the responsibility of the City.

2.2.9. Internet

The Contractor will service the Internet via a private ISP (ICS) utilizing fiber channel. All ISP and fiber costs are the responsibility of the City.

2.2.10. Help Desk

The Contractor shall establish and maintain a Help Desk system to document and



organize technology-related requests for assistance. SARCOM will be utilizing SarTrac, an internally developed application.

2.2.11. City of Pontiac Web Site

The Contractor shall coordinate the delivery of internet web site service through third party contractor(s). Any third party costs related to this service will be the responsibility of the City.

2.2.12. Transition

Total transition is estimated for completion within 90 days from the start date.

2.2.12.1. Contractor will be committed to the transition project for the City. A Transition Team will be composed of members qualified to support groups including: resource management, professional services and technical services.

2.2.12.2. The Transition Team will configure and organize the site and kick-off the project with user departments and vendors. The Transition Team will meet with the various user departments at Pontiac to prioritize any pending issues and initiate project assignments. The estimated timeline for this task will be within 3 weeks of the contracted start date.

2.2.12.3. The Contractor will create a short term plan which will assure continuity with current processing while assembling the replacement system and procedures. The current operation will be documented to insure an understanding of current process while beginning to identify the replacement process. This will include all daily/weekly functions at Pontiac and related vendors. The Transition Team will work with City departments to identify any areas of concern and plan accordingly to address those concerns. The Contractor will assume management of the peripheral devices, as well as appropriate network devices and software. The short term plan will be completed and presented to City Management within 30 days.

2.2.13. Operations Plan

Once preliminary information has been captured and analyzed, the Contractor will develop an operations plan which will outline procedures as a result of the implementation/transition period. Priorities will be assigned to the project and a timeline will be prepared for all complex issues. The Operations Plan will be a living document which is constantly updated to reflect changes in priorities, technical needs and the addition of new issues as necessary. The completion for the first draft of the Operations Plan will be completed during the transition period in the first 90 days of the contract start date. This plan will continue to be updated as services are stabilized and will continue to be updated as changes to the environment occur.

2.2.14. Long Term Strategic Plan

With information gathered throughout SARCOM's internal process, a Strategic Information Services Plan for Pontiac will be updated by the Contractor. This will be a long-range plan, which will be reviewed and updated annually. It will be presented to the City Emergency Financial Manager or his designee by October 31st each year, with the exception of the first contract year. A preliminary plan will be presented to the EFM within 6 months of the contracted start date for the first year only. The focus of this document should be on long-range goals and projects which have significant impact on the Information Technology Department's delivery of services to the City and its citizens. This plan will be based on City funding per CIP millage and will be completed for a 5 year period. Information presented in this document will be to address technology topics, issues, and prioritizations. However, no implementation will occur unless CIP funding is made available and approved by the EFM and City. Topics such as the Internet,



additional automation, and other customer service enhancements may be explored along with the Contractor's solutions designed to improve productivity and seamless delivery within the City of Pontiac Information Technology Department.

2.3. Standards Requirement - Policies and Procedures

2.3.1. A Standard Policies and Procedures Manual for IT operations will be developed by the Contractor. Once the contractor becomes familiar with and implements the standard policies and procedures, economies and service improvements should become evident. Each area of the on-site operations environment is to be included in the manual, from software release installations and custom code management to tape library controls and customer service guidelines. The steps required to assure a safe, secure operating environment are not only to be documented but also need to be supported through a series of procedural forms and sign-offs designed to guarantee compliance while delivering necessary checks and balances. Operations are to become process dependent - not people dependent. Functions that previously could not be performed by multiple staff members shall be acceptable based on the implementation of meticulously documented operation steps. Likewise, any programming that may be performed on-site will adhere to the same strict standards and methodologies. The contractor will provide standardized coding techniques to provide a clear, documented audit trail for all changes. Further, any required changes will be communicated back to the appropriate application team. The contractor will be provided with procedural information through the Standard Policies and Procedures Manual to assure continuity and measurable service levels. The procedure manual will also address the planning process for related functions, such as disaster recovery and security, among others.

2.3.2. Customer service will be delivered using an automated support system and staff. Standard service will include regularly scheduled meetings with the City, published customer support response and resolution guidelines, customer satisfaction surveys and productivity reporting to validate performance, document expectations and provide feedback for future improvements. The reporting will be the responsibility of the contractor. The information will be made available to the City EFM or his designee. The goal of these standards will be to develop measurable expectations and results along with the control necessary to realize operational efficiencies.

2.4. Security

2.4.1. The contractor will assume responsibility for establishing and maintaining the physical and logical security of the systems under its control. The contractor will provide security practices that protect the integrity of the information residing on existing systems and establish a practical framework that can be applied to future systems as well. This information will be recorded in a security operation document.

2.4.2. Security Document

This security document will serve as a guideline for planning and implementing logical and physical security in the data center environment. System security will be required to protect the internal network. The contractor will be responsible for network management and its related system security.

2.4.3. Existing Security Procedure

The contractor will blend existing security procedures and policies with the Resource Management Security Policies, which are to be documented in the contractor's Standard Policies and Procedures Manual.

2.4.4. Areas for Security Review

Areas of security that will be reviewed and implemented are as follows:



2.4.4.1. Logical

2.4.4.1.1. Network

2.4.4.1.2. Desktops and Peripherals

2.4.4.1.3. Voice-Integration (if applicable)

2.4.4.1.4. Data Files/Storage

2.4.4.1.5. Application Software

2.4.4.1.6. Operating Systems

2.4.4.1.7. Internet Firewalls

2.4.4.1.8. Device Configurations

2.4.4.2. Physical

2.4.4.2.1. Data Center/Computer Room Access

2.4.4.2.2. Visitor Procedures as related to the Information Technology related physical areas

2.4.4.2.3. Off-site Storage

2.4.4.2.4. On-site Storage

2.4.4.3. The Contractor will be provided with the support of affected City departments to assist in the development and implementation of Security Policies and Practices. The Contractor will provide Pontiac with security reports on a periodic basis, which will be reviewed with the City Emergency Financial Manager (EFM).

2.5. Disaster/Information Recovery Plan

2.5.1. Disaster Recovery Plan Document

The Contractor will be responsible for creating and maintaining a Disaster Recovery Plan for the information services operations. During the preparation of this plan, a complete review of the backup and off-site storage procedures will take place to ensure that all necessary information is being archived. The plan will be tested on an annual basis and the results will be reviewed with the City EFM or his designee. The Disaster Recovery Plan will be implemented under the Operations Plan and a preliminary plan will be delivered within 90 days and it is estimated to be fully tested within a one year period after the contract start date.

2.5.2. Comprehensive Security

The Contractor will assist Pontiac with the preparation of a city-wide Information Recovery Plan for all critical applications and services. As data processing continues to become less mainframe oriented and more network focused, more critical data resides outside of the data center. In order to provide a complete recovery plan, those data repositories must also be considered.

2.5.3. Testing and Verification

Upon completion of the city-wide Contingency Plan and the Disaster Recovery Plan, the Contractor will assist in the testing and verification of both plans. This will ensure that City's data processing support systems are protected and recoverable in the event of a disaster.

2.5.4. Emergency Power

The Contractor's Resource Management will also review and make necessary



recommendations on Emergency Power provisions for all critical devices to ensure continued operations during unpredictable power failures or interruptions. Upon completion of review, any capital expenditures will be submitted for review to the City EFM or his designee.

2.6. Delivery

The Contractor will provide on-site assistance to track and resolve hardware issues, software issues, as well as security and PC-related topics.

2.7. Service Support

Contractor addresses and assumes responsibility for all functions, tasks, assignments, and service necessary to provide for meeting the specified service level agreements. Stated service level agreements are as follows:

Help Desk Phone SLA – Calls placed to the City's Help Desk will be responded to within 1 hour of receipt on a weekly average.

Time to Resolve SLA – Calls resolved during each week will not exceed 12 business hours for the weekly average.

2.8. Voice Communications

2.8.1.1. Coordination

2.8.1.2. Voice Mail (operation, configuration, etc.)

2.8.1.3. Problem Resolution

2.8.1.4. Configuration

2.8.1.5. Contract Administration

2.8.2. Network (WAN/LAN)

2.8.2.1. Hardware

2.8.2.1.1. Support

2.8.2.1.2. Configuration

2.8.2.1.3. Problem Resolution/Troubleshooting

2.8.2.1.4. Management

2.8.2.1.5. Contract Administration

2.8.2.1.6. Installation

2.8.2.1.7. Operation/Protection

2.8.2.2. Software

2.8.2.3. Support

2.8.2.4. Installation/Configuration

2.8.2.5. Problem Resolution

2.8.2.6. Troubleshooting

2.8.2.7. Selection

2.8.2.8. Management

2.8.2.9. Software

- 2.8.2.9.1. Installation/Configuration
- 2.8.2.9.2. Recommendation
- 2.8.2.9.3. End User Support
- 2.8.2.9.4. Problem Resolution/Troubleshooting
- 2.8.2.9.5. Operation/Protection
- 2.8.2.9.6. Contract Administration

2.8.3. Management

2.8.3.1. Budget

- 2.8.3.1.1. Preparation
- 2.8.3.1.2. Control
- 2.8.3.1.3. Capital Improvement Plan
 - 2.8.3.1.3.1. Recommendation
 - 2.8.3.1.3.2. Review
 - 2.8.3.1.3.3. Coordination of Technology Plans

2.8.3.2. New Technologies

- 2.8.3.3. Recommendation
- 2.8.3.4. Coordination
- 2.8.3.5. Review
- 2.8.3.6. Implementation
- 2.8.3.7. Request for Proposals
 - 2.8.3.8. Creation
 - 2.8.3.9. Review
 - 2.8.3.10. Recommendation

3. ARTICLE 3 - RESPONSIBILITIES OF THE CITY

3.1. The City will provide IT support in the following specific areas:

3.1.1. Office Space



A PG&M Company

The City will provide office and computer room space within the current facility, at no cost to the Contractor.

3.1.2. Supplies and Equipment

The City shall be responsible for system user office supplies, equipment (including PC's, peripherals, and related computer supplies). The Contractor will provide office supplies for contract operation and management.

3.1.3. Maintenance Contracts

The City will continue to be responsible for any City specific application maintenance costs, HP UX supplies and system maintenance contracts costs. The Contractor will be responsible for implementing and overseeing that maintenance is accomplished.

3.1.4. Professional Services

The City will continue to be responsible for costs associated any web site hosting services and any database administration needs outside of Oracle Banner.

3.1.5. Utilities, Telephone, Postage

The City will continue to be responsible for utilities costs, including desk phone service and postage/ mailing expenses.

3.1.6. Data Communication Lines

The City will continue to be responsible for the cost of data communication lines.

3.1.7. Computer Forms

The City will continue to be responsible for document costs including any paper type, bills, and receipts.

3.1.8. Information Report Distribution

The City will continue to be responsible for distribution of reports, billing notices, late notices and all city related documentation.

3.1.9. Taxes

The City will continue to be responsible for any local, state and federal taxes related to this contract.



A SIG MALL Company

4. ARTICLE 4 - COMPONENT PARTS OF THIS CONTRACT

4.1. Component Parts of This Contract

The contract consists of the following component parts, all of which are as fully a part of this contract as if herein set out verbatim, or, if not attached, as if hereto attached.

4.1.1. Contract (this document).

4.1.2. Contractor's Proposal Summary.

4.2. In the event that any provision in any of the above component parts of this contract conflicts with any provision in any other of the component parts, the provision in the component part first enumerated above shall govern over any other component part which follows it numerically, except as may be otherwise specifically stated.

5. ADDITIONAL TERMS

5.1. Contractor Staffing

5.1.1. Staffing

The contractor shall have the responsibility for selecting personnel to perform the services to be provided. No applicant or employee with a conviction (or a "no contest" plea) for any felony or misdemeanor will be used to perform work under this contract, unless otherwise agreed to by the parties to the contract.

5.1.2. Enterprise Services Manager

The Contractor's Enterprise Service Manager shall have proven managerial experience in the field of information and technology management.

5.1.3 Job Titles and Responsibility Matrix

Job Titles	Responsibilities
Enterprise Services Manager (provided by an off-site resource)	<ul style="list-style-type: none">• Develops and manages the critical path of projects and project master schedule• Interviews and assigns resources based on skill sets to complete defined tasks• Manages project scope, time and budget to meet the Statement of Work or the Service Level Agreement• Reports and manages staff productivity• Participates in forecasting and planning sessions• Responsible for deliverables associated with managing projects at SARCOM such as: a project plan, communication plan, project charter, and a scope statement• Manages the project team for each individual project• Counsils and coaches employees on improving performance and career advancement• Handles all escalated client issues and works with the client and team members to achieve resolution• Ensures project deliverables meet agreed-to quality levels• Leads process to identify, analyze, and define responses to project risks. Manages risk monitoring and control activities.• Coordinates and presents annual Strategic Information Technology Analysis and Recommendations
Network Services (provided by off-site resources)	<ul style="list-style-type: none">• Installs, configures, upgrades, troubleshoots, diagnoses and resolves problems on PC's, workstations and associated applications and operating systems within the

SARCOM

A PG Mall Company

	<p>enterprise desktop and mobile computing environment.</p> <ul style="list-style-type: none"> • Installs, configures, upgrades, diagnoses and resolves problems on advanced level shared network devices (modems, faxes, printers). • Administers a minimum of one Enterprise Level Desktop Management Solution • Network operating system administration. • Enters reports and Standard Repair Orders into Helpdesk tool.
Database Analyst	<p>Duties and responsibilities include, but are not limited to:</p> <ul style="list-style-type: none"> • Maintains confidentiality of data and system security for multiple systems and users. • Installs or assists personnel in installation of hardware, system upgrades and peripheral components. • Loads software packages such as operation systems as needed. • Troubleshoots and modifies computer programs and applications; coordinates maintenance with external vendors. • Responds to inquiries of users concerning systems operation and diagnoses system hardware, software, and operator problems; provides instruction to users when necessary. • Coordinates activities with help desk, network services, or other information systems groups. • Documents proper control and standard operating procedures for computer equipment operators and end users. • Maintains a current on-site and off-site backup of computers and computer network. • Backups on Oracle Banner • Programming as needed per projects. • Backfill for other team members as needed.
Desktop Support Technician(s)	<ul style="list-style-type: none"> • Provide technical support in hardware and software through diagnosis and trouble shooting • Responsible for coordinating computer moves, add ons, changes, software upgrades and configuration enhancements. • Report and enter SRO Data Requirements, Time Sheet Data Requirements, and Warranty Verification data requirements into Helpdesk tool in a consistent and timely manner. • Help Desk Support as required.
Customer Response Center Analyst (Remote Help Desk)	<ul style="list-style-type: none"> • Answer all calls in a professional and timely manner as requested over the phone. • Display competency of site hardware, software, systems, and all supported services. • Understand and be proficient with problem tracking system (SarTrac) • Enter tickets 'live' into the problem management software application system unless problems or the network prevents it. In cases when entering tickets 'live' is not possible, analysts will follow manual procedures. • Assign appropriate priority and severity levels to all calls. • Resolve as many tickets on a first call basis as possible.



	<ul style="list-style-type: none">• For issues that cannot be first called, transfer ticket to second level group according to site procedures.• Alert technicians of high severity and escalated issues.• Close tickets in a timely manner.• Follow approved escalation procedures.• On a daily basis, maintain an awareness of tickets to minimize resolve time and maximize customer satisfaction.
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5.2. Contractor Benefits

The Contractor shall have sole responsibility for determining and providing benefits for Contractor's employees.

5.3. Subcontracted Repairs

The Contractor shall be responsible for arranging and managing the subcontracting of outside repairs that cannot be performed economically by the Contractor. All responsibility for subcontractor(s) (paperwork, invoicing, quality control, etc.) shall be that of the Contractor. Subcontractor invoices will be accepted and paid solely by the Contractor.

5.4. Maintenance Services

Many manufacturer's suggest annual maintenance packages in order to provide post support of their products. The contractor will review what maintenance contracts the City of Pontiac currently purchases and will include those within the annualized pricing that SARCOM has the capability to purchase. Please refer to section 9.1 for agreements being covered under the annualized price. A finalized list will be provided to the City EFM or his designee at the City of Pontiac and will be mutually agreed upon with SARCOM. A change order for any additions would be completed upon mutual acceptance.

5.5. Media Storage

The contractor shall coordinate the method of data backups being stored at an off-site facility.

5.6. Parts Supply

The Contractor shall procure all service parts and supplies necessary to maintain information systems and equipment. The Contractor shall only install parts meeting original equipment manufacturer specifications. The cost of the parts and supplies necessary to maintain all equipment and systems are the responsibility of the Contractor. The contractor will facilitate all warranty repairs and parts replacement that are under the standard manufacturer warranty terms at no additional cost to the City of Pontiac; this also includes all associated freight costs.

5.7. Engineering Projects

The contractor shall provide up to 320 hours of professional services for years 1 and 2 specifically focused in the design, architecture, and stability of the network. Year 1 will focus on the backbone infrastructure and a phone system upgrade to a VOIP or comparable solution. Years 3-5 allow for up to 160 hours per year for any additional scoped projects. Travel expenses for resources engaged in the professional projects are also covered in the annual pricing.

5.8. Hours of Service

5.8.1. Information services will be open for maintenance and customer support Monday through Friday during the hours from 8:00 a.m. to 5:00 p.m.



A VCI Mail Company

5.8.2. The Contractor shall maintain the IT facility every scheduled City work day. The Contractor will observe holidays in accordance with the City's holiday schedule. The Contractor may work on scheduled holidays, Saturdays, Sundays, and when deemed appropriate during other non-scheduled hours.

5.8.3. Excluding projects or services determined to be within the scope of this agreement, services performed outside of standard business hours (Monday-Friday, 8 a.m. - 5 p.m.) may be subject to additional overtime charges that are the responsibility of the City of Pontiac. Such overtime services shall not apply to in-scope maintenance and emergency services performed outside of normal business hours. Any overtime services will need to be pre-approved by the City of Pontiac EFM or his designee, before they are performed.

5.9. Emergency Work

The contractor will be responsible to manage any Data Center emergency service for servers, switches, routers, backup, and storage as required. Circuit and phone services would be coordinated with the third party vendor.

5.10. Lawful Mandated Reports

The Contractor will be responsible for all Information Technology related reports required by the State of Michigan. These reports must be available from the standard reporting processes of the existing systems for City of Pontiac or contractor.

5.11. Services

The services and responsibilities of the Contractor under this agreement consist of those services performed by the Contractor, its employees and subcontractors of this agreement. The contractor shall assure that all subcontractors and their employees, who perform work required by the contractor under this agreement, including subcontracted repairs above; shall adhere to the conditions, requirements and obligations under this contract.

5.12. Time and Progress

It is understood and agreed that TIME IS OF THE ESSENCE in respect to the work contemplated hereunder, and the Contractor agrees to do the work covered by the contract in conformity with the provisions set forth herein and to prosecute all work with all due diligence, so as to complete any work required under the contract within the shortest reasonable period of time.

5.13. Additional Services

Contractor shall provide additional services which are in addition to the services detailed herein, as and when requested by the City. The Contractor shall be compensated for such Additional Services through a mutually agreeable change order. A detailed scope of work and cost estimate for such Additional Services will be provided to the City by the Contractor, and written authorization to proceed shall be required from the City before such services are initiated.

5.14. Nondiscrimination

Upon submission of a proposal, the Bidder hereto agrees that he will comply with the Federal Civil Rights Act of 1964 as amended; the Federal Civil Rights Act of 1991 as amended; the Americans with Disabilities Act of 1990 as amended; the Elliott-Larsen Civil Rights Act, Article 2, Act No. 453, Public Act of 1976 as amended; the Michigan Handicapper's Civil Rights Act, Article 2, Act No. 220; Public Act of 1976, as amended and all other applicable Federal, State and Local laws and regulations. Specifically, contractors and subcontractors are required not to discriminate against any employee or applicant for employment with respect to such person's hire,

SARCOM

A RC Mall Company

tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment because such person's race, color, religion, national origin, ancestry, age, sex or disability, as defined by law. Breach of this covenant may be regarded as a material breach of the contract or purchase agreement and may be processed as provided under the State of Michigan laws.

6. ARTICLE 6 - SAFETY

6.1. Working Conditions

The Contractor shall adopt working conditions and other employment policies which meet the approval of the City, provided however, that the Contractor will not be required to violate any applicable Federal or State statutory provisions.

6.2. Safety and Accident Provision

It shall be the Contractor's responsibility to maintain throughout the contract period a safety and accident prevention program which meets requirements of Federal, State, and local codes, and all other authorities having jurisdiction over this work.

6.3. Accident Notification

In the event of any personal injury accident in connection with the work, the designated representative(s) of the City shall be immediately notified and given all known facts regarding the accident.

6.4. Job Safety Compliance

It shall be the responsibility of the Contractor to comply with all the provisions applicable to the Occupational Safety and Health Act and MI-OSHA Regulations as enforced by the U.S. Department of Labor and the State of Michigan Department of Labor and to require all employees to comply with OSHA/MI-OSHA laws and regulations affecting job safety. At a minimum, Contractor will provide a written Safety Program, and a hazardous material "Right-to-Know" information program, and a safety training program for employees.

7. ARTICLE 7 - FACILITIES, EQUIPMENT, AND SUPPLIES

7.1. Facilities Available

The City will make available to the Contractor a portion of the City Hall, now identified as the Information Technology Department, located at 47450 Woodward Avenue in the City. The Contractor may also utilize specialized equipment for management and maintenance purposes. The Contractor shall not use the facility for work not related to this contract unless otherwise directed in writing by the Contract Administrator. The facility will include use of telephones on the City network. Only phone calls associated with the management and maintenance of the information system are authorized for this scope of work. The City will supply utilities, including gas, water, and electricity. The City shall also continue to pay utility costs (electricity) for operation of all information services equipment. The City will provide all standard computer related equipment to the contractor deemed necessary to perform the services provided under the scope of this agreement.

7.2. Facilities Provided

The City shall also provide at no cost to the Contractor, City-owned equipment, tools and furniture located in the Information Technology Department. All equipment added during the term of the Contract paid for by the City will become the property of the City. The Contractor is expected to provide all specialty maintenance equipment necessary to meet the scope of work. The physical facilities, office, and computer equipment provided to Contractor for the term of the Contract will be the responsibility of the Contractor during the term of the contract and will be returned to the



A PCH Holdings Company

City upon completion of the Contract in the same condition as provided to the Contractor, except for normal wear and tear. The Contractor will maintain and repair equipment during the term of the Contract, including management of any service contracts provided by the City.

7.3. Inventory - Furnishings

Between the date of contract execution and the date that the Contractor actually takes over the facility, a complete physical inventory of furnishings and equipment will be taken by the Contractor to determine what the Contractor is responsible for. The inventory shall be repeated annually for the duration of the contract.

7.4. Facility Maintenance

The physical facilities located at 47450 Woodward Avenue will be maintained by the City, including repairs and/or renovations of the building that result from normal wear and tear. The Contractor will be responsible for informing the City of degraded conditions. The Contractor shall maintain equipment owned by the City but used by the Contractor of the information services function. Maintenance and repair of City equipment and buildings damaged beyond normal wear and tear used by the Contractor shall be the responsibility of the Contractor and shall be included by the Contractor as an operational cost.

7.5. Security

The Contractor may change the locks to the information services area for the duration of the contract. Upon request, the Contractor shall provide duplicate keys to the City Emergency Financial Manager (EFM); however, the City shall not have keys, combinations, or other access to personal equipment owned and secured by employees of the Contractor.

8. ARTICLE 8 - OTHER CONTRACT REQUIREMENTS

8.1. Professional Appearance and Demeanor

The Contractor must maintain an operation professional in appearance and fully functional. The work force is expected to be neat in appearance, fully trained and competent to perform the required work. All equipment used in the operation must be safe and mechanically sound.

8.2. Right to Require Performance

The City's failure at any time to require performance of any provisions by the Contractor shall in no way affect the right of the City thereafter to enforce same. Nor shall any waiver by the City of any breach of any provision be taken or held to be waiver of any succeeding breach of such provision or as a waiver of any provision itself.

8.3. Coordination of Work Required

Unless specifically identified as work to be provided by the City staff, the Contractor shall furnish supervision and all labor, equipment, supplies, materials (except as otherwise noted herein), and perform satisfactorily the services at the frequencies and during the times as specified herein. The services shall include all functions normally considered a part of completing this work in a satisfactory manner meeting, or exceeding industry standards.

8.4. Reporting

8.4.1. Records

Upon notice agreeable to the City and the Contractor, the Contractor shall provide access at all reasonable times to all electronic and hard data, books, records, correspondence, instructions, plans, drawings, receipts, vouchers, and memoranda of every description, and shall provide to the EFM cost verification for work, associated with this contract when requested.



AFC Mail Company

8.4.2. Computer Records

The Contractor will develop, implement and maintain software for an electronic record keeping and reporting system for all services being contracted. The information system shall provide records of all repairs and servicing activities performed including scheduled maintenance, emergency repairs, and all other services related to operation of the information services department.

8.4.3. Maintenance Records

A hard copy or electronic history folder shall be maintained by the Contractor for all system maintenance and operation.

8.4.4. The contractor shall provide the following reporting information as it relates to the services being provided as stated in the master agreement and herein:

Project Status Reporting – Provided Weekly.

Call Volume Statistics – Provided Weekly.

Monthly Service Reporting, which includes, but is not limited to SLA Attainment – Provided by the 10th calendar day of the following month.

8.4.5. Annual Report

The Contractor shall provide the City with a written annual report. The Annual Report shall contain a summary of the year's activity.

8.4.6. Contractor Alternative Reports

The Contractor may propose a reporting system that meets the needs of the City for timely, complete information in lieu of requirements specified under Sections 4, 5, and 6 above provided such system meets the approval of the City EFM.

8.4.7. Mandated Reporting

The Contractor shall also provide any and all Federal and/or State reports required by law associated with this contract.

8.5. Emergency Financial Manager

The Emergency Financial Manager or his designated representative, shall be the City Contract Administrator. The City Contract Administrator will approve payments, oversee schedules, and generally be responsible for overseeing the execution of the contract.

8.6. Supervision by Contractor

The Contractor will supervise and direct the work of its employees. The Contractor will be solely responsible for the means, methods, techniques, sequences, and procedures of Contractor work performed. The Contractor will appoint an Enterprise Services Manager who shall have been designated in writing by the Contractor at the time the contract is executed. The Enterprise Services Manager shall have full authority to act on behalf of the Contractor and all communications given shall be as binding as if given to the Contractor. The Enterprise Services Manager shall be present to the extent necessary so as to perform adequate supervision and coordination of the work.

8.7. Status of Contractor



A PCNMI Company

The Contractor and its employees at all times shall be considered as independent contractors and not as City employees. In delivering services, Contractor shall exercise all supervisory control and general control over all day-to-day operations, including control over all workers' duties, payment of all wages to its employees, and the right to hire, fire, and discipline all employees. As an independent contractor, payment to the Contractor under this contract shall not be subject to any withholding for tax, social security, or other purposes, nor shall Contractor or employees of the Contractor be entitled to any City of Pontiac fringe benefit programs.

8.8. Employees of the Contractor

The Contractor shall at all times be responsible for the conduct and discipline of its employees and/or any subcontractor or persons employed by the Contractor. All workers must have sufficient knowledge, skill, and experience to properly perform the work assigned to them. Any worker employed by the Contractor, who in the opinion of the City Contract Administrator, does not perform work in a skilled manner, or acts in a disorderly or intemperate manner, or engages in sexual harassment or other forms of inappropriate behavior as defined by the City Contract Administrator, shall, at the written request of the City Contract Administrator, be removed immediately from the contract and shall not be utilized again in any portion of the work without approval of the City Contract Administrator.

8.9. Laws and Municipal Ordinances

The Contractor shall keep fully informed of all Federal, State, and municipal laws and ordinances and regulations in any manner affecting those engaged or employed in the work, or the equipment and materials used in the work, and all orders and decrees of bodies or tribunals having any jurisdiction or authority over the same. The Contractor shall at all times observe and comply with all such existing laws, codes, ordinances, regulations, orders, and decrees.

8.10. Assignability

The Contractor agrees that the work proposed shall be accomplished by the Contractor and any subcontractors identified. The Contractor agrees that any work under the contract to be assigned to subcontractors shall be done only with the prior approval of the City Contract Administrator.

8.11. Inspection of Work

The Contractor shall furnish the City or authorized representative(s) with every reasonable opportunity to determine whether or not the work is performed in accordance with the requirements of the Contract. The City may appoint qualified persons to inspect the Contractor's operations and equipment, and Contractor shall permit these authorized representative(s) to make such inspections at a reasonable time and place.

8.12. Copyright

The Contractor shall irrevocably transfer, assign, set over, and convey to the City of Pontiac all rights, title, and interest, including the sole exclusive and complete copyright interest, in any and all copyrightable works for hire created for the City pursuant to this Contract. This does not include tools, hardware, software, systems, or licenses created by the Contractor to manage the Contractor's business. The Contractor further agrees to execute such documents as the City of Pontiac may request to affect such transfer or assignment. Further, the Contractor agrees that the rights granted to the City of Pontiac by this paragraph are irrevocable. The Contractor's remedy in the event of termination of or dispute over any agreement entered into as a result of this solicitation shall not include any right to rescind, terminate, or otherwise revoke or invalidate in any way the rights conferred pursuant to the provisions of this paragraph. Similarly, no termination of any agreement entered into as a result of this solicitation shall have the effect of rescinding, terminating, or otherwise invalidating the rights acquired pursuant to the provisions of this paragraph.

9. ARTICLE 9 – FINANCIAL RESPONSIBILITY



A PR. MALL COMPANY

9.1. Financial responsibility under this Information Technology Contract

ITEM	RESPONSIBILITY	COMMENT
Personnel Expense (wages, benefits, taxes, etc.)	Contractor	
Training Expense - own employees	Contractor	Contractor agrees to pay for any technical training corresponding to the employee development plans of the individuals and related to SARCOM requirements. Any City specified training or seminars related to software applications, is the responsibility of the City. Proprietary applications which include Oracle Banner, New World, payroll/financial applications as well as seminars and specific training related to these applications would be the responsibility of the City. SARCOM would be responsible for Novell, VMware, Microsoft, Cisco, IBM seminars and training or any of similar nature.
Hardware Purchase/Lease Expense	City	Contractor recommends lease/purchase and manages the purchase
Hardware Maintenance	City	HP UX, Circuits, Centrex Phone System, copier/fax units
Hardware/Software Maintenance - SARCOM	Contractor	Novell, Cisco, HP, Email Content Filtering, Internet Content Filtering, servers, routers, switches, backup, storage
Software Purchase/Lease	City	Contractor recommends lease/purchase and manages the purchase
Software Maintenance	City	ACS Finance & HR modules, Evisions used to process checks, any City specific software maintenance
Facility Rental	City	No charge to contractor
Office and Desktop Computer Equipment	City	No charge to contractor
Operational Supplies (toner, paper, pens, etc.)	City	Contractor recommends toner management program
Supplies - contract operations.	Contractor	



ITEM	RESPONSIBILITY	COMMENT
(canned air, glass cleaner, etc.)		
Utilities (heat, power, light)	City	
Janitorial Services	City	
Telephone	City	
Telephone maintenance (all lines)	City	
Technical Staff Cell Phone & Monthly Plan	Contractor	
Hardware Communication Connections (data and ISP), Web Site Hosting and Associated Licensing and Management	City	
Additional Equipment for Daily Operation and Management	Contractor	Only for equipment added per contractor decision
Liability Insurance/Workers Compensation	Contractor	
Property Insurance (personal property, computers, building)	City	
Uniform Expense (if any)	Contractor	
Capital Expenditure	City	

10. ARTICLE 10 - ARBITRATION

- 10.1 Claims, disputes or other matters in question between the parties to this Agreement arising out of or relating to this Agreement or breach thereof shall be subject to and decided by arbitration in accordance with the Rules of the American Arbitration Association currently in effect unless the parties mutually agree otherwise.
- 10.2 Demand for arbitration shall be filed in writing with the other party to this Agreement and with the American Arbitration Association. A demand for arbitration shall be made within a reasonable time after the claim, dispute or other matter in question has arisen. In no event shall the demand for arbitration be made after the date when institution of legal or equitable proceedings based on such claim, dispute or other matter in question would be barred by the applicable statutes of limitations.
- 10.3 No arbitration arising out of or relating to this Agreement shall include, by consolidation, joinder or in any other manner any additional person or entity not a party to this Agreement, except by written consent containing a specific reference to this Agreement signed by the City, Contractor, and any other person or entity sought to be joined. Consent to arbitration involving an additional person or entity shall not constitute consent to arbitration of any claim, dispute or other matter in question not described in the written consent or with a person or entity not named or described herein. The foregoing agreement to arbitrate and other agreements to arbitrate with an additional



A PC Mall Company

person or entity duly consented to by the parties to this Agreement shall be specifically enforceable in accordance with applicable law in any court having jurisdiction thereof.

- 10.4. The award rendered by the arbitrator or arbitrators shall be final, and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof.

11. ARTICLE 11 - INDEMNITY AND INSURANCE

11.1. Indemnification

The Contractor shall defend, indemnify and hold harmless the City of Pontiac, its employees, elected officials, departments, agents, boards, commissions, City Council Members, and volunteers against and from all claims, judgments, losses, damages, demands, payments, recoveries, legal proceedings, orders, and decrees of every nature and description arising out of, or resulting from negligent acts, errors or omissions or the willful misconduct of the Contractor, its employees or its subcontractors. The Contractor agrees to provide insurance as outlined below.

11.2. Worker's Compensation

The Contractor agrees to provide Worker's Compensation Insurance covering all persons engaged in work under this contract to the full statutory limits stipulated in the Michigan Worker's Compensation Act.

11.3. Comprehensive General Liability Insurance:

The Contractor agrees to provide Comprehensive General Liability Insurance in the following amounts:

Bodily Injury - at least \$1,000,000/occurrence
Property Damage - at least \$1,000,000/occurrence
Personal Injury - at least \$1,000,000/occurrence

11.4. Motor Vehicle Liability Insurance

The Contractor agrees to provide motor vehicle liability insurance in the following amounts:

Bodily Injury - at Least \$1,000,000/occurrence
Property Damage - at least \$1,000,000/occurrence
Personal Injury - at least \$1,000,000/occurrence

11.5. Errors and Omissions

Professional Liability Coverage (errors and omissions) covering an actual or alleged error, statement, act, omission, neglect or breach of official duty, including misfeasance, malfeasance, and non-feasance - at least \$1,000,000/occurrence.

11.6. Named Insured

The City of Pontiac, its agents, elected officials, and employees shall be included as additionally named insured with respect to all liability policies herein which shall be indicated on all applicable certificates of insurance.

11.7. Notice of Cancellation

The insurance certificates indicated above shall carry a 30 day notice of cancellation.

11.8. Subcontractor Insurance

It shall be the responsibility of the Contractor to ensure that each subcontractor utilized by the Contractor (if any) provides evidence that each subcontractor carries insurance in like amounts prior to the time such subcontractor proceeds to perform under the contract. Such insurance shall



A FORMER COMPANY

be reviewed and approved by the City Contract Administrator.

11.9 Rights and Limitations

Either party's liability to the other party on any claim of any kind (excluding bodily injury or death), whether based on contract, warranty, tort strict liability or otherwise, for any loss or damage arising out of, connected with, or resulting from this Agreement or from the services and materials covered by or furnished under this Agreement, shall be limited to direct damages, and in no case exceed the annual service charge or fees paid for any equipment or software purchased from contractor under this agreement unless otherwise determined by a court of law.

In no event, whether on contract, warrant, tort, strict liability or otherwise, shall either party be liable for special, incidental, exemplary or consequential damages including but not limited to loss of profits or revenue, facilities or services, down-time costs, or claims or the other party for such damages, unless determined by a court of law.

12 ARTICLE 12 - OTHER TERMS AND CONDITIONS

12.1 Non-Solicitation

The City and the Contractor mutually agree that unless prior consent is received in writing from the other, neither party will hire, solicit for hire, or aid any third party in hiring under any circumstances an employee, or any employee representative of either party for the term of this agreement as well as for a period of six (6) months following the performance of services. In the event of a violation by the City, the City shall pay the contractor a fee equal to three (3) months of the current billable fee for contracted resources based on a forty (40) hour week.

13. ARTICLE 13 - BASIS OF COMPENSATION

13.1 Fixed Fee

The contractor will receive the following compensation for the five years of the contract period:

Period	Total Annual Lump Sum Fee
October 18, 2010 - October 17, 2011	\$427,706.00
October 18, 2011 - October 17, 2012	\$414,900.00
October 18, 2012 - October 17, 2013	\$400,119.00
October 18, 2013 - October 17, 2014	\$400,119.00
October 18, 2014 - October 17, 2015	\$404,463.00

Support costs are based upon Desktop/Server growth of 25% or less per year. If any change to the environment is deemed to result in a significant increase or decrease in demand for support, then either party reserves the right to propose new resource budgets for the appropriate periods affected, upon mutual agreement.

13.2 Compensation for Extra Work Agreed to by the City and the Contractor

If it becomes necessary to perform extra work, outside of the standard contract, SARCOM will supply appropriate resources as required by the City. Costs for services provided in these situations will be negotiated at the time of each occurrence. Any such work must have pre-approval of the City contract administrator. The City will not be responsible for additional invoices for work or materials that did not have written pre-approval.



A PC Mall Company

13.3 Invoices

One invoice that represents not more than one twelfth (1/12) of the annual fixed fee shall be submitted each month. Invoicing by the Contractor and payment by the City shall occur monthly. Payment terms are net 30 days from the receipt of invoice.

13.4 Verification of Work

The Contractor shall prepare verification data for any items questioned, for the amount claimed and provide complete cooperation during such investigation of any areas in the invoice subject to question.

13.5 Annual Meeting - Performance Evaluation

An annual meeting will be scheduled between the City and contractor in October of each year. The meeting will be held at a mutually agreeable location.

14. ARTICLE 14 - TERMINATION

14.1 Contract Term

The duration of the Contract will be for sixty (60) months. Further, this Contract may be renewed, expanded, and extended by mutual agreement in annual increments, for a renewal period of one (1) year each, provided that 1) the funds for subject contract are available and an operating budget is approved by the City, 2) that the Contractor has established a satisfactory record of performance, and 3) the renewal proposal is satisfactory to both the Contractor and the City.

14.2 Extensions

The term of this agreement may be extended for additional terms as mutually agreed upon by the City and the Contractor, but may not exceed fifteen (15) years in total (three subsequent extensions).

14.3 Termination by the City

The City may, by written notice to the Contractor, terminate the right to proceed as to the whole or any part of the contract if the Contractor or any of its subcontractors fail (1) to perform the services within the time specified or any extension thereof, (2) to make progress as to endanger performance of the contract in accordance with its terms, or (3) to perform any other provision of this contract in a manner satisfactory to the City. The Contractor shall not be subject to this provision if failure to perform arises out of causes beyond its control and without fault or negligence of the Contractor or subcontractors. The City may also terminate this contract if any state or federal regulatory agency disapproves of all or any part of any provisions herein.

14.4 Three Year Provision

The City may cancel this contract for any reason and without penalty after three (3) years.

14.5 Termination by the Contractor

This contract may be terminated upon thirty (30) days written notice given by the Contractor to the City for default by the City. In event of a default by the City, this contract shall not be terminated if the City cures the default within such thirty (30) day period.

14.6 Notice of Termination

This Agreement may be terminated by the City upon not less than thirty days written notice to the Contractor.

14.7 Compensation on Termination

In the event of termination not the fault of the Contractor, the Contractor shall be compensated for services performed prior to termination.

14.8 Claims, Damages

SARCOM

Article 14 - Termination

Termination not the fault of the Contractor shall not give rise to any claim against the City for damages or for compensation in addition to that provided under this Contract. Such payment so made to the Contractor shall be in full settlement for services rendered under and pursuant to this agreement.

14.9. City's Resumption of Operation and Maintenance of the IT Systems.

If this contract is terminated or is not completed for any reason, the City shall have the absolute right and privilege to perform any of the duties, services and obligations of the contractor immediately upon termination without notice to the contractor. In such case, the City shall take over all of the work required to be performed by the firm herein and continue operations of its management information systems function. Further, all of the personal licenses granted to the firm for use of the facilities and any equipment and furniture therein shall immediately terminate and the firm shall vacate the facility and cease its use of all equipment and furniture as noted.

15. ARTICLE 15 - CONTRACT TERM

15.1 Contract Term

This contract shall remain in full force and effect for five years from the effective date provided that 1) the funds for subject contract are available and an operating budget is approved by the City, 2) and that the Contractor has established a satisfactory record of performance.

16. ARTICLE 16 - VALIDITY

16.1 Agreement Validity

The invalidity of any portion of this agreement will not and shall not be deemed to affect the validity of any other provision. In the event that any provision of this agreement is held to be invalid, the parties agree that the remaining provision shall be deemed to be in full force and effect as if it had been executed by both parties subsequent to the expungement of the invalid provision.

This Agreement entered into as of the day and year first written above.

WITNESSES

CITY OF PONTIAC

(signature)

(signature)

Michael Stampfer, Emergency Financial Manager
(name and title)

SARCOM, INC

(signature)

(signature)

John Strauss, VP Managed Services
(name and title)

Approved as to form:

Legal Review for the City of Pontiac



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

Dated: October 29, 2010

ORDER NO. S-27

RE: Fire Department – Work Schedule and Shift Changes held in Abeyance

TO: John Naglick, Acting Finance Director
Carl Johnson, Controller (Plante & Moran)
Jeffrey Hawkins, Chief of Fire Department
Larry Marshall, Human Resources Director

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; (f) Make, approve or disapprove any appropriation, contract, expenditure...; and (h) Exercise all of the authority of the unit of local government to renegotiate existing labor contracts and act as an agent of the unit of local government in collective bargaining with employees or representatives and approve any contract or agreement".

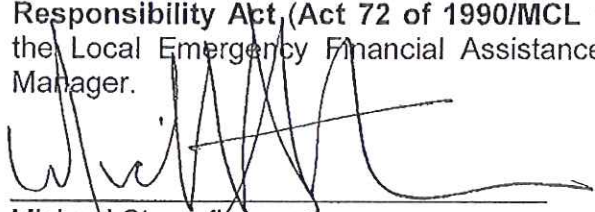
It is hereby ordered:

- (1) That as a result of ongoing collective bargaining between the City of Pontiac and the Pontiac Fire Fighters Union, the approval granted in sub-paragraph (1) of Order S-17, and directives of the Fire Chief as outlined in his Memorandum dated September 22, 2010, implementing changes to the Pontiac Fire Department's work schedules and related staffing, shall be held in abeyance until November 14, 2010.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfer
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

Dated: November 1, 2010

ORDER NO. S-28

**RE: City of Pontiac Designation of Oakland County Sheriff Office
as PSAP for City 9-1-1 Calls**

**TO: Val Gross, Police Chief
Jeffrey Hawkins, Fire Chief
Mark Hotz, City Attorney
Yvette Talley, City Clerk
John Naglick, Acting Finance Director
Carl Johnson, Controller (Plante & Moran)
Oakland County 9-1-1 Coordinator
Ruth Johnson, Oakland County Clerk**

RECEIVED
CITY OF PONTIAC
2010 NOV -4 P 4: 12

The **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** in **Section 141.1219** empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1)** provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: **"(a)** Analyze factors and circumstances contributing to the financial condition of the unit of local government and recommend steps to be taken to correct the condition; **(e)** 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; **(f)** Make, approve or disapprove any appropriation, contract, expenditure...; **(o)** Enter into agreements with other units of local government for the provision of services; and **(p)** Exercise the authority and responsibilities of the chief administrative officer and governing body concerning the adoption, amendment, and enforcement of ordinances or resolutions affecting the financial condition of the unit of local government as provided in... **(i)** The home rule city act...."

In the fiscal year 2010-2011, the City of Pontiac faces a General Fund Operating deficit of nearly \$9,000,000. If immediate action is not taken, that deficit will continue to grow in future years.

As Emergency Financial Manager, state law provides that I must develop a Financial Plan for the City to live within available resources. That Financial Plan was presented to the State Treasurer on September 1, 2010 and is posted on the City website.

Providing police and dispatch services is among the fundamental services to be provided by any municipality to citizens.

The dire financial situation of Pontiac has reached a point where it is no longer economically feasible to maintain a City Police Department, including police and fire dispatch services.

In order to avoid further police staff reductions, to maintain and improve police services to the public and to reduce costs, I have sought and received a proposal dated October 8, 2010 from the Oakland County Sheriff's Office to provide all police services and police/fire dispatch services in the City of Pontiac effective January 1, 2011 ("OCSO Proposal").

The OCSO Proposal, when enacted, will:

- (A) Continue police operations at the Police Station in Pontiac;
- (B) Maintain current police staffing levels at 74 sworn officers;
- (C) Place more sworn officers "on the streets" to timely respond to citizen calls and complaints;
- (D) Provide "24/7" contact between the public and OCSO at Police Station in Pontiac;
- (E) Provide employment opportunities to full-time Pontiac Police Department officers and dispatchers, subject to OCSO and County rules and regulations;
- (F) Save Pontiac over \$2,000,000 annually in reduced, direct budget expenses and additional support costs for police and dispatch services.

State law requires certain notification procedures in the event of changes in 9-1-1 service in Pontiac. In order to protect the public and effect an orderly transition of 9-1-1 services in the event of a contract between the City of Pontiac and the OSCO for police and dispatch services, the following orders are issued.

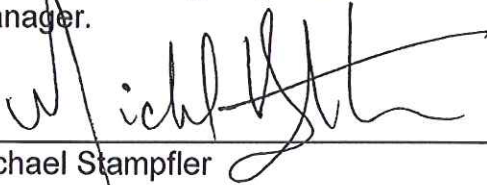
It is hereby ordered:

- (1) Pursuant to Section 318 of the Michigan Emergency Telephone Service Enabling Act (PA 32 of 1986, as amended) the City of Pontiac designates the Oakland County Sheriff Department as the Primary Public Safety Answering Point (PSAP) for all 9-1-1- calls originating from within the City, EFFECTIVE January 1, 2011;

- (2) Pursuant to Section 502 of the Michigan Emergency Telephone Service Enabling Act (PA 32 of 1986, as amended), the Pontiac Police Department shall cease functioning as a Primary PSAP within the Oakland County 9-1-1-Service District; and
- (3) The City of Pontiac directs the Oakland County 9-1-1 Coordinator, the Oakland County Clerk, and all applicable communication service providers to implement this directive by January 1, 2011.

Copies of the documents referenced in this Order are to be maintained in the offices of the City Clerk and the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfler
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER

MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

Dated: November 9, 2010

ORDER NO. S-29

RE: Legal Fees/Assignment of Attorney Firms

TO: Mark Hotz, City Attorney
Yvette Talley, City Clerk
John Naglick, Acting Finance Director
Carl Johnson, Controller (Plante & Moran)

RECEIVED
CITY OF PONTIAC
2010 NOV - 9 P 4: 57

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; and (f) Make, approve or disapprove any appropriation, contract, expenditure..."

The City of Pontiac spends approximately \$1,000,000 per year in legal fees. This is a very significant amount of money and must be controlled effectively.

It is hereby ordered:

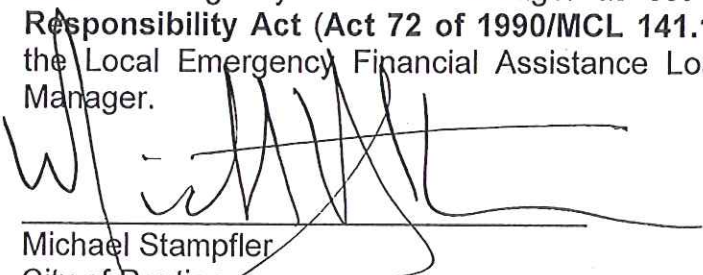
- (1) The assignment of any matter or case to outside legal counsel shall require written approval by the Emergency Financial Manager following a written recommendation and evaluation of the City Attorney.
- (2) The Finance Director is instructed that the budget and all funding for outside legal counsel pending in various departments is to be consolidated under the Office of the City Attorney effective December 1, 2010.

- (3) The City Attorney will be responsible for effectively managing legal costs of the City under the instruction of the Emergency Financial Manager.
- (4) The City Attorney shall issue a written report to the Emergency Financial Manager, no later than November 15, 2010, listing each matter assigned to outside legal counsel, including the matter or case caption, and individual attorney contact for the matter or case.
- (5) The City Attorney shall issue, on the first business day of each month, a monthly written report to the Emergency Financial Manager on outside legal counsel costs, in a form acceptable to the Emergency Financial Manager and including year to date and yearly comparable legal expenses for 2009-10, effective December 1, 2010.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfler
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

RECEIVED
CITY OF PONTIAC
2010 NOV -9 P 14:57

Dated: November 9, 2010

ORDER NO. S-30

RE: Implementation of Layoff, Termination and
Position Elimination Procedures

TO: Khalfani Stephens, Director of Growth Group
Val Gross, Police Chief
Alan Schneck, Director, DPW&U/Community Development
Tyrone Hinton, Acting Director of Federal Programs
John Naglick, Acting Finance Director
Jeffrey Hawkins, Fire Chief
Larry Marshall, Human Resources Director
Mark Hotz, City Attorney
Yvette Talley, City Clerk
Jill Temple (SARCOM)
Carl Johnson, Controller (Plante & Moran)

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; (f) Make, approve or disapprove any appropriation, contract, expenditure...; and (h) Exercise all of the authority of the unit of local government to renegotiate existing labor contracts and act as an agent of the unit of local government in collective bargaining with employees or representatives and approve any contract or agreement".

It is hereby ordered:

- (1) As a result of the City of Pontiac's severe financial situation, layoffs, terminations and position eliminations will be effectuated pursuant to the attached Lay-Off List dated October 28, 2010.
- (2) No later than 9:00 a.m. on Tuesday, November 9, 2010, the Human Resources Director will provide a progress report to the Emergency Financial Manager as to the preparation of all layoff and termination notices and accompanying documents.
- (3) The Human Resources Director will distribute a copy of the full Layoff List and individual employee layoff notices to each responsible Department Head by no later than 12:00 p.m. on Wednesday, November 10, 2010.
- (4) Except as outlined in paragraph (6)(a) below, each Department Head will distribute all individual employee layoff notices to each affected employee by 12:00 p.m. on Friday November 12, 2010.
- (5) Each Department Head will require each affected employee sign the individual employee layoff notice, and retain a copy for the City of Pontiac's records. Each Department Head will return all signed copies of the individual employee layoff notices to the Human Resources Department by 5:00 p.m. Friday, November 12, 2010. If the Department Head is unable to return a signed and executed copy of the individual employee layoff notice to the Human Resources Department by 5:00 p.m. Friday November, 12, 2010, the Department Head will provide a written report to the Human Resources Director providing a detailed explanation of why the signed and executed individual employee layoff notice was not executed and returned.
- (6) The layoffs and final day of employment for each affected group of employees will be as follows:
 - a. **AFSCME Local 2002 employees:** All affected AFSCME Local 2002 employees will be provided individual employee layoff notices by 12:00 p.m. on Thursday, **November 18, 2010** from Department Head. The final day of employment for all laid off AFSCME Local 2002 employees will be on Thursday, **December 2, 2010**.
 - b. **Teamsters Local 214 employees:** All affected Teamsters Local 214 employees will be provided individual employee layoff notices by 12:00 p.m. on Friday, **November 12, 2010**. The final day of employment for all laid off Teamsters Local 214 employees will be on Friday, **November 26, 2010**.
 - c. **Supervisory and Administrative Employees Association (SAEA) employees:** All affected SAEA employees will be provided individual employee layoff notices by 12:00 p.m. on Friday, **November 12, 2010**.

The final day of employment for all laid off SAEA employees will be on Monday, December 6, 2010.

- d. **Pontiac Professional Management Association (PPMA) employees:** All affected PPMA employees will be provided individual employee layoff notices by 12:00 p.m. on Friday, **November 12, 2010**. The final day of employment for all laid off PPMA employees will be on Monday, **December 6, 2010**.
- e. **Pontiac Police Officers Association (PPOA):** All affected PPOA employees will be provided individual employee layoff notices by 12:00 p.m. on Friday, **November 12, 2010**. The final day of employment for all laid off PPOA employees will be Friday, **November 26, 2010**.
- f. **Pontiac Police Supervisors Association (PPSA):** All affected PPSA employees will be provided individual employee layoff/demotion notices by 12:00 p.m. on Friday, **November 12, 2010**. All PPSA employees receiving individual employee layoff/demotion notices will have fourteen (14) days to exercise his or her right to be demoted into the rank of patrol officer within the Pontiac Police Department. Therefore, each affected PPSA employee must exercise his or her option to be demoted into the rank of patrol officer by submitting the request to the Human Resources Department in writing, no later than 5:00 p.m. Friday, **November 26, 2010**.
- g. **Full Time Non-Union Employees:** All affected full time non-union employees will be provided individual employee termination notices by 12:00 p.m. on Friday, **November 12, 2010**. Although not required or provided for, each affected full time non-union employee will be provided two (2) weeks notice. Therefore, the final day of employment for all terminated full time non union employees will be Friday, **November 26, 2010**.
- h. **Full Time Temporary Employees:** All affected full time temporary employees will be provided individual employee termination notices by 12:00 p.m. on Friday, **November 12, 2010**. Although not required or provided for, each affected full time temporary employee will be provided two (2) weeks notice. Therefore, the final day of employment for all terminated full time temporary employees will be Friday, **November 26, 2010**.
- i. **Part Time Temporary Employees (Crossing Guards):** The part-time temporary Crossing Guards will not be included in this layoff at this time.
- j. **Part Time Temporary Employees:** All affected part-time temporary employees will be provided individual employee termination notices by 12:00 p.m. on Friday, **November 12, 2010**. The termination notices of

affected part time temporary employees will be effective immediately, and their final day of employment will be **November 12, 2010**.

- (7) Each affected employee must return all property of the City of Pontiac, including but not limited to, equipment, documents, access keys/cards, uniforms and cellular telephones to their respective Department Head by no later than 4:00 p.m. on Wednesday November 24, 2010.
- (8) SARCOM will be responsible to collect any and all returned employee information systems or technical equipment from the respective Department Heads by no later than noon, Monday, November 29, 2010 and will provide a report to the Emergency Financial Manager commenting on the completion of this task by 5:00 p.m. that date.
- (9) The Human Resources Department will ensure that all bumping rights are carried out consistent with any applicable collective bargaining agreements.
- (10) That the Human Resources Director will provide a weekly report to the Emergency Financial Manager regarding the status of staffing changes and the impact of bumping rights by 4:00 p.m. on the following dates:

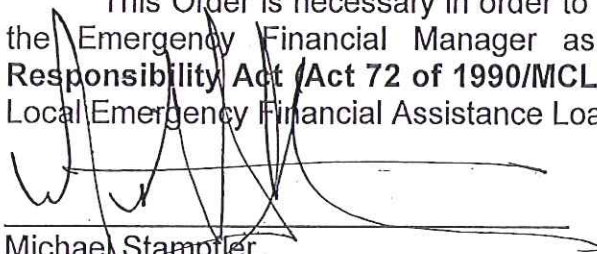
- Friday, November 19, 2010
- Friday, November 26, 2010
- Friday, December 3, 2010
- Friday, December 10, 2010
- Friday, December 17, 2010

The final report shall be due on Friday, December 17, 2010.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfer
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council

REVISED LAYOFF LIST
CITY OF PONTIAC
October 28, 2010

TEAMSTERS LOCAL 214

DEPARTMENT	DIVISION	SENIORITY	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
DPW&U	Bldg. & Safety Engineer	1/20/2009	Rau	Charles	Bldg Inspector	\$53,581.00	\$25,911.00
DPW&U	Bldg. & Safety Engineer	7/16/2008	Apra	Fernando	Plumbing Inspector	\$50,461.00	\$24,064.00
DPW&U	Bldg. & Safety Engineer	6/9/2008	Wolf	Brendan	Electrical Inspector	\$50,460.80	\$26,778.80
DPW&U	Bldg. & Safety Engineer	5/5/2008	Burke	Eugene	Mechanical Inspector	\$53,581.00	\$25,911.00
DPW&U	Planning Division	11/3/2003	Breneau	David	City Planner II	\$39,915.20	\$24,559.00
POLICE	Uniformed Services	10/24/2002	Benion	Domile	Animal Control Officer	\$31,948.80	\$22,392.00
FINANCE	Treasurers	6/24/2002	Wilson	Rose	Property Tax Accountant	\$39,124.80	\$22,503.00
FINANCE	Treasurers	12/28/2001	English	Melissa	Cashier II	\$25,667.20	\$21,715.00
FINANCE	Income Tax Admin.		Vacant		Income Tax Auditor	\$33,300.80	\$21,149.00
DPW&U	Bldg. & Safety Engineer		Vacant		Senior License Technician	\$44,408.00	\$27,598.00
DPW&U	Bldg. & Safety Engineer		Vacant		Housing Inspector I	\$36,088.00	\$30,960.00
FINANCE	Finance Treasurer		Vacant		Accountant	\$67,016.00	\$67,016.00
							12 POSITIONS
							\$799,092.60

AFSCME LOCAL 2002

DEPARTMENT	DIVISION	SENIORITY	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
DPW&U	Electrical Shop	3/29/2001	Sykes	Joseph	Journeyman Electrician	\$41,017.60	\$27,406.00
DPW&U	Operations	8/25/2003	White	Jack	Utility Equip. Opera/San.	\$42,057.60	\$34,250.00
DPW&U	Electrical Shop	6/26/2002	Medlock	Shelby	Utility Laborer III	\$33,113.60	\$25,943.00
DPW&U	Wast.Wat.Maint.	3/9/2002	Johnson	Ernest	Utility Laborer III	\$33,113.60	\$31,900.00
DPW&U	Operations	3/8/2002	Hendon	Jerry	Utility Laborer III	\$33,113.60	\$31,984.00
DPW&U	Grounds Maintenance	8/20/2000	Pentecost	Helena	Park Maint. Worker III	\$31,740.80	\$29,555.00
DPW&U	Electrical Shop	6/8/1999	Vaughn	Bryant	Traffic Service Worker	\$33,113.60	\$26,751.00
DPW&U	Operations	5/7/1999	Thomas	Anthony	Utility Laborer III	\$33,113.60	\$31,984.00
DPW&U	Bldg. Maintenance		Vacant		Custodian	\$47,939.00	\$47,939.00
DPW&U	Bldg. Maintenance		Vacant		Custodian	\$47,939.00	\$47,939.00
DPW&U	Bldg. Maintenance		Vacant		Custodian	\$47,939.00	\$47,939.00
							14 POSITIONS
							\$663,974.00

PPMA

DEPARTMENT	DIVISION	SENIORITY	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
DPW&U	Engineering	3/12/2007	Balint	John	Deputy City Engineer	\$68,764.80	\$8,287.00
LAW	City Attorney	10/2/2000	Poplar	Andre	Deputy City Attorney	\$68,764.80	\$24,261.00
FINANCE	Info. Tech.	3/27/1995	Martin	Kenneth	Database Analyst	\$60,278.40	\$13,777.00
							3 POSITIONS
							\$244,133.00

PONTIAC POLICE OFFICERS ASSOCIATION

DEPARTMENT	DIVISION	SENIORITY	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
POLICE	Uniformed Services	1/7/2008	Jefferson*	Charles	Patrol Officer	\$50,481.60	\$43,196.00
POLICE	Uniformed Services	10/22/2002	Williams	Venta	Patrol Officer	\$50,481.60	\$43,196.00
POLICE	Uniformed Services	2/15/2002	Siner	Andre	Patrol Officer	\$50,481.60	\$43,196.00
POLICE	Uniformed Services	12/2/2001	Contreas	Goreta	Patrol Officer	\$50,481.60	\$44,102.00
POLICE	Uniformed Services	7/18/2001	Threkeid*	Sennel	Patrol Officer	\$50,481.60	\$43,196.00
POLICE	Uniformed Services	2/23/2001	Wiggins	Raymond	Patrol Officer	\$50,481.60	\$43,390.00
POLICE	Uniformed Services	1/10/2001	Bowie*	Charles	Patrol Officer	\$50,481.60	\$43,196.00
POLICE	Uniformed Services	12/9/2000	Tate**	James	Patrol Officer	\$50,481.60	\$43,390.00
POLICE	Uniformed Services	7/11/2000	Garrett	Gilbert	Patrol Officer	\$50,481.60	\$44,102.00
POLICE	Uniformed Services	8/31/1999	Marougl	Joseph	Patrol Officer	\$50,481.60	\$94,583.60
POLICE	Uniformed Services	6/22/1999	Crampton	Casey	Patrol Officer	\$50,481.60	\$44,102.00
POLICE	Uniformed Services	6/10/1999	Miller	Michael	Patrol Officer	\$50,481.60	\$44,102.00
*Grant Funds							\$94,583.60
** On Leave							\$1,128,855.20
12 POSITIONS							

PONTIAC POLICE SUPERVISORS ASSOCIATION

DEPARTMENT	DIVISION	PROMOTION	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
POLICE	Uniformed Services	9/21/2001	Fagan	Josephine	Police Sergeant	\$59,862.40	\$52,574.00
POLICE	Investigative Services	12/3/2000	McGlaughlin	Brian	Police Sergeant	\$59,862.40	\$47,673.00
POLICE	Uniformed Services	4/9/2000	Thomas	Brian	Police Sergeant	\$59,862.40	\$46,399.00
		1/24/1999	Daves	Michael	Police Sergeant	\$59,862.40	\$51,743.00
4 POSITIONS							\$437,838.60

SUPERVISORS AND ADMINISTRATIVE EMPLOYEES ASSOCIATION

DEPARTMENT	DIVISION	SENIORITY	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
DPW&U	Engineering	6/11/2004	Patel	Umakant	Civil Engineer III	\$46,779.20	\$24,529.00
DPW&U	Bldg. Maintenance	10/28/2002	Robinson	Larry	Bldg. Maint. Foreman	\$50,045.00	\$34,626.00
2 POSITIONS							\$155,979.20

FULL TIME TEMPORARY EMPLOYEES****

DEPARTMENT	DIVISION	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
DPW&U	Bldg. Maintenance	O'Brien	Robert	Bldg. Systems Tech***	\$29,993.60	\$5,175.00
DPW&U	Bldg. Maintenance	Wright	Christopher	Bldg. Systems Tech***	\$29,993.60	\$5,175.00
DPW&U	Bldg. Maintenance	Eggleston	James	Utility Laborer III	\$29,827.20	\$2,718.00
FINANCE	Income Tax	Pruyt	Christopher	Bldg. Systems Tech***	\$29,993.60	\$5,175.00
DPW&U	Accounts Payable	Futch	Michael	Income Tax Tech.	\$27,955.20	\$2,267.00
FINANCE	Tele Van Services	Holland	Jerry	Utility Laborer III	\$29,827.20	\$2,718.00
DPW&U	Bldg. & Safety Engineer.	Moore	Davine	Temporary Clerical IV	\$29,120.00	\$2,362.00
DPW&U	City Clerk	Clark	Joseph	Tele-A-Van Driver	\$21,320.00	\$2,355.00
CITY CLERK	City Clerk	Schultz	Bradley	License/Zoning Inspect.	\$36,088.00	\$30,332.00
CITY CLERK	City Clerk	Hawkins	Sherika	Temporary Clerical IV	\$41,600.00	\$3,374.00
*** In vacant position		Wesley	Annette	Temporary Clerical IV	\$31,200.00	\$2,531.00
				16 POSITIONS		\$401,100.40

NON-UNION FULL TIME EMPLOYEES****

DEPARTMENT	DIVISION	SENIORITY	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
DPW&U	Building & Safety		Vacant		Building Official	\$61,194.80	\$11,183.00
CITY COUNCIL	City Council		Vacant		Legislative Office Coord.	\$40,684.00	\$22,625.00
FINANCE	Info/Tech	2/4/2008	Nathan		Legislative Assistant	\$35,526.40	\$19,223.00
HUMAN RESOURCES	Personnel/Services	7/11/2005	Nikia		Appl. Support Spec.	\$40,684.80	\$22,625.00
FIRE	Admin. Services	6/14/2004	Michelle		HR Administrator	\$49,108.80	\$23,590.00
HUMAN RESOURCES	Payroll	3/3/2003	Mary		Executive Assistant	\$40,684.80	\$9,168.00
DPW&U	Planning	3/3/2003	Denise		HR Spec./City Payroll	\$43,139.20	\$9,439.00
POLICE	Admin. Services	4/19/1999	Madhu		Planning Admin.	\$69,742.40	\$24,498.00
FINANCE	Admin. Services	4/13/1999	Rolanda		Executive Assistant	\$40,684.80	\$21,212.00
FINANCE	Info/Tech	1/4/1999	Cheyila		Executive Assistant	\$51,376.00	\$20,982.00
FINANCE	Info/Tech	10/5/1998	Keon		Network Analyst Manager	\$62,046.40	\$25,028.00
FINANCE	Budget	7/23/1996	Richard		Mgmt System Administrator	\$67,600.00	\$25,591.00
		5/24/1993	Andrea		Budget Cost Administrator	\$73,902.40	\$27,940.00
					14 POSITIONS		\$939,478.80
					77 FULL TIME POSITIONS		\$4,770,451.80

TEMPORARY PART TIME EMPLOYEES****

DEPARTMENT	DIVISION	SENIORITY	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
LAW	Law Dept		Finnegan	Frances	City Attorney	\$37,440.00	\$3,036.00
POLICE	Police		Reyes	Frank	Clerical Tech. Aide	\$29,036.00	\$2,355.00
							\$40,476.00
							\$31,391.00

Revised Layoff List
City of Pontiac
October 28, 2010

POLICE	Police	Craggette	Dwayne	Crossing Guard	\$11,700.00	\$1,183.00	\$12,883.00
POLICE	Police	Jackson	Tywanina	Crossing Guard	\$11,700.00	\$1,183.00	\$12,883.00
POLICE	Police	Smith	Thomas	Crossing Guard	\$11,700.00	\$1,183.00	\$12,883.00
DPW&U	Recreation	Ellison	Hamilton	Sports Official	\$1,608.00		\$1,608.00
DPW&U	Recreation	Gebhart	Jacob	Scorekeeper	\$1,608.00		\$1,608.00
DPW&U	Recreation	Glover	Larry	Sports Official	\$1,608.00		\$1,608.00
DPW&U	Recreation	Grant	Darron	Sports Official	\$1,608.00		\$1,608.00
DPW&U	Recreation	Davis	Jessica	Scorekeeper	\$1,608.00		\$1,608.00
DPW&U	Recreation	Archer	Deborah	Sports Official	\$1,608.00		\$1,608.00
DPW&U	Recreation	Benlon Jr.	Frank	Sports Official	\$1,608.00		\$1,608.00
DPW&U	Recreation	Bloom	Herbert	Sports Official	\$1,608.00		\$1,608.00
DPW&U	Recreation	Craft	Troy	Sports Official	\$1,608.00		\$1,608.00
DPW&U	Recreation	Dowell	Andrew	Scorekeeper	\$1,608.00		\$1,608.00
DPW&U	Recreation	Dowell	Antwon	Scorekeeper	\$1,608.00		\$1,608.00
DPW&U	Recreation	Dowell	Fern	Site Coordinator	\$1,608.00		\$1,608.00
DPW&U	Recreation	Hamilton	Gregory	Sports Official	\$1,608.00		\$1,608.00
DPW&U	Recreation	Hardy	Randy	Sports Official	\$1,608.00		\$1,608.00
DPW&U	Recreation	Hill	Dennis	Sports Official	\$1,608.00		\$1,608.00
DPW&U	Recreation	Hill	Robert	Scorekeeper	\$1,608.00		\$1,608.00
DPW&U	Recreation	James	Jasmin	Scorekeeper	\$1,608.00		\$1,608.00
DPW&U	Recreation	Moore	Dwight	Sports Official	\$1,608.00		\$1,608.00
DPW&U	Recreation	Morway	Cheryl	Site Coordinator	\$1,608.00		\$1,608.00
DPW&U	Recreation	Nix	Cory	Scorekeeper	\$1,608.00		\$1,608.00
DPW&U	Recreation	Peterson	Richard	Sports Official	\$1,608.00		\$1,608.00
DPW&U	Recreation	Thompson	William	Scorekeeper	\$1,608.00		\$1,608.00

**** All non-union individuals will receive a termination notice

\$145,892.00



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

RECEIVED
CITY OF PONTIAC

2010 NOV - 9 P 4: 57

Dated: November 9, 2010

ORDER NO. S-31

RE: Vacation of Suspension and Reinstatement

TO: Val Gross, Police Chief
Captain Wendy Reyes
Captain Robert Miller
Captain Todd Courtney
Sergeant Josephine Fagan
Larry Marshall, Human Resources Director
Mark Hotz, City Attorney
Yvette Talley, City Clerk

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; (f) Make, approve or disapprove any appropriation, contract, expenditure...; (h) Exercise all of the authority of the unit of local government to renegotiate existing labor contracts and act as an agent of the unit of local government in collective bargaining with employees or representatives and approve any contract or agreement"; and (p) Exercise the authority and responsibilities of the chief administrative officer and governing body concerning the adoption, amendment, and enforcement of ordinances or resolutions affecting the financial condition of the unit of local government as provided in... (i) The home rule city act....".

On October 12, 2010, Order No. S-23 was issued concerning a Memorandum of Understanding between the City of Pontiac ("COP") and the Oakland County Sheriff's Office ("OCSO") for potential contracts for police and dispatch services ("OCSO Contracts"). Since that time, COP has conducted numerous meetings with the Pontiac Command Officers Association, Pontiac Patrol Officers Association and Pontiac Police & Fire Dispatch Association to discuss the impact of the OCSO Contracts.

Since October 12, 2010, I, as the Emergency Financial Manager, my legal representatives, the Pontiac Police Chief, members of the Pontiac Command Officers Association and Pontiac Police & Fire Dispatch Association have appeared and/or spoke about the OCSO Contracts at various City and County governmental meetings and public forums in Pontiac.

Sergeant Josephine Fagan, President of the Pontiac Command Officers Association has appeared at governmental and public meetings in Pontiac to speak about the OCSO Contracts, and express the Association's support of the OCSO Contracts.

On November 8, 2010, Police Chief Val Gross suspended Sergeant Josephine Fagan, without pay, in relation to her speaking about the OCSO Contracts at a public forum in Pontiac and ordered an investigation be conducted by Police Department officials.

To avoid any potential liability to the City of Pontiac, to save the expenditure of resources and funds to be utilized in conducting the investigation, to avoid expenses related to the defense of any potential grievance to be filed by Sergeant Fagan, and to allow Pontiac Police Department employees to speak freely concerning the potential OCSO Contracts,

It is hereby ordered:

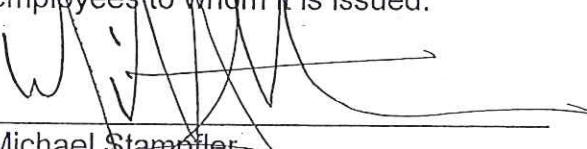
- (1) The suspension of Sergeant Josephine Fagan is vacated and she is to be immediately reinstated to her current position, with full salary and benefits.
- (2) Any references to the suspension of Sergeant Fagan are to be stricken from Police Department records, including Sergeant Fagan's personnel file.
- (3) The Pontiac Police Department shall discontinue any investigation of Sergeant Fagan concerning speaking at a public forum in Pontiac and all matters related thereto.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager. Pursuant to state law, this Order is binding upon all local officials or employees to whom it is issued.



Michael Stampfer
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

RECEIVED
CITY OF PONTIAC
2010 NOV - 9 P 4: 57

Dated: November 9, 2010

ORDER NO. S-32

RE: Memorandum of Understanding between Pontiac Police Supervisors Association and City of Pontiac

TO: Val Gross, Police Chief
Captain Wendy Reyes
Captain Robert Miller
Captain Todd Courtney
Sergeant Josephine Fagan
Larry Marshall, Human Resources Director
Mark Hotz, City Attorney
Yvette Talley, City Clerk
Ken Grabowski, Command Officers Association of Michigan

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; (f) Make, approve or disapprove any appropriation, contract, expenditure...; (h) Exercise all of the authority of the unit of local government to renegotiate existing labor contracts and act as an agent of the unit of local government in collective bargaining with employees or representatives and approve any contract or agreement"; and (p) Exercise the authority and responsibilities of the chief administrative officer and governing body concerning the adoption, amendment, and

enforcement of ordinances or resolutions affecting the financial condition of the unit of local government as provided in... (i) The home rule city act....".

The City of Pontiac and the Pontiac Police Supervisors Association have negotiated in good faith regarding a number of outstanding grievances and an unfair labor practice charge pending before the Michigan Employment Relations Commission. After engaging in negotiation on these issues, the parties have entered into the attached Memorandum of Understanding signed by both the President of the Pontiac Police Supervisors Association and the Emergency Financial Manager for the City of Pontiac.

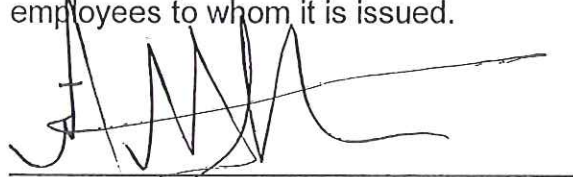
It is hereby ordered:

- (1) That the Human Resources Department shall immediately comply with and implement all terms included in the attached Memorandum of Understanding entered into between the Pontiac Police Supervisors Association and the City of Pontiac.
- (2) That the Chief of Police shall immediately comply with and implement all terms included in the attached Memorandum of Understanding entered into between the Pontiac Police Supervisors Association and the City of Pontiac.
- (3) That the Human Resources Department shall issue a report to the Emergency Financial Manager no later than November 16, 2010 regarding the status of implementing the terms included in the attached Memorandum of Understanding entered into between the Pontiac Police Supervisors Association and the City of Pontiac.
- (4) That the Chief of Police shall issue a report to the Emergency Financial Manager no later than November 16, 2010 regarding the status of implementing the terms included in the attached Memorandum of Understanding entered into between the Pontiac Police Supervisors Association and the City of Pontiac.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager. Pursuant to state law, this Order is binding upon all local officials or employees to whom it is issued.

A handwritten signature in black ink, appearing to read 'Michael Stampfler', written over a horizontal line.

Michael Stampfler
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into by and between the City of Pontiac ("City") and the Pontiac Police Supervisors Association ("Union") and has for its purpose the resolution of certain grievances and an unfair labor practice charge. In entering into this Memorandum of Understanding, the City and the Union agree as follows:

1. That the grievances attached hereto shall be considered completely and fully resolved upon the City taking the following action:
 - a. Payment to Captain Reyes, Captain Miller, Sergeant Braddock, and Sergeant Giolitti, of all back pay based upon their demotion from the ranks designated in this paragraph to the ranks they have assumed for the period of time from the time of their demotion (April 19th 2010) through and including November 28th, 2010.
 - b. That the four individuals referenced in paragraph a, above, and Officer Ryan Terry, shall be returned to the payroll system to their designated (former) ranks as set forth in paragraph a, above. Officer Ryan Terry will also be returned to the rank of Sergeant, and those referenced in paragraph a shall receive back pay from the date of their demotions (April 19th 2010) which payment shall be made with the paychecks issued on Thursday, November 28th, 2010.
2. That upon the signing of this Memorandum of Understanding, the Union hereby indicates that not only the grievances regarding the four individuals referenced in paragraph 1a, above, but also the other grievances attached to this Memorandum of Understanding, have been fully and completely resolved, and all said grievances shall be withdrawn by the Union.
3. That upon the signing of this Memorandum of Understanding by the Union, it shall notify the Michigan Employment Relations Commission that the unfair labor practice charge it filed, which has been docketed by MERC as Case No. C10c-085, is withdrawn.
4. That Sergeant Daves shall receive all back pay (including holiday pay, prep time, and longevity) the amount based on calculations determined by the payroll department from the Date of September 20th 2009, which payment shall be made with the paychecks issued on Thursday, November 28th, 2010, minus back pay payments already provided.

5. That, at this time, it is the agreement of the City and the Union to hold contract negotiations in abeyance subject to either party providing written notice to the other to recommence negotiations.
6. That based upon the resolution set forth in this Memorandum of Understanding, the "super mediation" scheduled for Monday, November 8, 2010 shall be cancelled.
7. The City and the Union, through their undersigned designated representatives, hereby agree that this Settlement Agreement is full, final, complete and binding upon both parties, that the Union has the authority to enter into this Memorandum of Understanding on behalf of its members, and that this Memorandum of Understanding and the resolution of the issues listed herein is done on a one-time, non-precedent setting basis.

FOR THE UNION:

By:

Sergeant Josephine Fagan
Sergeant Josephine Fagan
Its: President

Dated: November 5, 2010

FOR THE CITY:

By:

Michael L. Stampfer
Michael L. Stampfer
Its: Emergency Financial Manager

Dated: November 8, 2010

OFFICIAL UNION GRIEVANCE FORM

10-148

Grievance Number

Name of Employer City of Pontiac

Phone (248) 758-3341
Include Area Code

Name of Local Union PPSA

Phone (248) 758-3336

Statement of Grievance: List what happened, where, when, why. Also, any contract violation.

On March 22, 2010, the employer demoted Captain Wendy Keelly-Reyes to the rank of Lieutenant. The demotion is without just cause in violation of Article 5.5 of the contract.

Adjustment or Settlement Requested: (To be completed by Union)

Reinstate grievant to the rank of Captain, make grievant whole for lost wages and benefits. Purge the personnel file of any reference to the demotion.

I authorize the Union to act for me in the disposition of this grievance and authorize the employer to release any information requested by the Union regarding this grievance.

X Wendy Reyes
Signature of Grievant

X S. L. Tague
Signature of Local Union Representative

3-23-10

Name of Employer Representative who handled the grievance at the following steps:

Verbal Step _____ 1st Written Step _____ 2nd Written Step _____

Employer's Answer to 1st Written Step: If grievance is denied, give reasons and proofs.

RECEIVED

MAR 31 2010

Employer's Answer to 2nd Written Step:

PONTIAC POLICE OFFICE
OF THE CHIEF

X _____
Signature of Employer Representative

NOTICE TO LOCAL UNION — Make 3 Copies: (1) Employer, (2) Union, (3) Local Union.
Be sure to send all proofs and evidence to the Union office along with Grievance.

Grievance Number

OFFICIAL UNION GRIEVANCE FORM

10-149
Grievance Number

Name of Employer City of Pontiac

Phone (248) 758-3341
(Include Area Code)

Name of Local Union PPSA

Phone (248) 758-3336

Statement of Grievance: List what happened, where, when, why. Also, any contract violation.

On March 22, 2010, the employer demoted Captain Robert Miller to the rank of Sergeant. The demotion is without just cause in violation of Article 5.5 of the contract.

Adjustment or Settlement Requested: (To be completed by Union)

Reinstate grievant to the rank of Captain, make grievant whole for lost wages and benefits. Purge the personnel file of any reference to the demotion.

I authorize the Union to act for me in the disposition of this grievance and authorize the employer to release any information requested by the Union regarding this grievance.

X

Robert Miller
Signature of Grievant

X

S. L. [Signature]
Signature of Local Union Representative

2-23-10
Date

Name of Employer Representative who handled the grievance at the following steps:

Verbal Step _____ 1st Written Step _____ 2nd Written Step _____

Employer's Answer to 1st Written Step: If grievance is denied, give reasons and proofs.

Grievance Number

RECEIVED

MAR 31 2010

INTIAC POLICE OFFICE
OF THE CHIEF

Employer's Answer to 2nd Written Step:

X

Signature of Employer Representative

NOTICE TO LOCAL UNION — Make 3 Copies: (1) Employer, (2) Union, (3) Local Union.
Be sure to send all proofs and evidence to the Union office along with Grievance.

OFFICIAL UNION GRIEVANCE FORM



10-150
Grievance Number

Name of Employer City of Pontiac

Name of Local Union PPSA

Phone (248) 758-3336

Statement of Grievance: List what happened, where, when, why. Also, any contract violation.

On March 22, 2010, the employer demoted Sergeant Christopher Gollitt to the rank of Patrol Officer. The demotion is without just cause in violation of Article 5.5 of the contract.

Adjustment or Settlement Requested: (To be completed by Union)

Reinstate grievant to the rank of Sergeant, make grievant whole for lost wages and benefits. Purge the personnel file of any reference to the demotion.

I authorize the Union to act for me in the disposition of this grievance and authorize the employer to release any information requested by the Union regarding this grievance.

X

C. V. Smith
Signature of Grievant

X

Sgt. Lopez
Signature of Local Union Representative

3/23/10

Name of Employer Representative who handled the grievance at the following steps:

Verbal Step Apr. 1st 4/1/10

1st Written Step

2nd Written Step

Employer's Answer to 1st Written Step: If grievance is denied, give reasons and proofs.

Grievance Number

Employer's Answer to 2nd Written Step:

X

Signature of Employer Representative

NOTICE TO LOCAL UNION — Make 3 Copies: (1) Employer, (2) Union, (3) Local Union.
Be sure to send all proofs and evidence to the Union office along with Grievance.

OFFICIAL UNION GRIEVANCE FORM



10-151
Grievance Number

Name of Employer: City of Pontiac

OFFICE OF THE CITY CLERK
PONTIAC POLICE DEPARTMENT
PONTIAC, MI 48106

Phone (248) 758-3341

Name of Local Union: PPSA

Phone (248) 758-3336

Statement of Grievance: List what happened, where, when, why. Also, any contract violation.

On March 22, 2010, the employer demoted Sergeant Ryan Terry to the rank of Patrol Officer. The demotion is without just cause in violation of Article 5.6 of the contract.

Adjustment or Settlement Requested: (To be completed by Union)

Reinstate grievant to the rank of Sergeant. make grievant whole for lost wages and benefits. Purge the personnel file of any reference to the demotion.

I authorize the Union to act for me in the disposition of this grievance and authorize the employer to release any information requested by the Union regarding this grievance.

X

Ryan Terry
Signature of Grievant

X

Sgt. J. J. J. J.
Signature of Local Union Representative

3-23-10

Date

Name of Employer Representative who handled the grievance at the following steps:

Verbal Step

Apr. 14/10

1st Written Step

2nd Written Step

Employer's Answer to 1st Written Step: If grievance is denied, give reasons and proofs.

Grievance Number

Employer's Answer to 2nd Written Step:

X

Signature of Employer Representative

NOTICE TO LOCAL UNION — Make 3 Copies: (1) Employer, (2) Union, (3) Local Union.
Be sure to send all proofs and evidence to the Union office along with Grievance.

OFFICIAL UNION GRIEVANCE FORM

10-153

Grievance Number

Name of Employer City of Pontiac

Phone (248) 758-3341

Name of Local Union PPSA

Phone (248) 758-3336

Statement of Grievance: List what happened, where, when, why. Also, state contract violation.

On March 22, 2010, the employer demoted Sergeant Kevin Braddock to the rank of Patrol Officer. The demotion is without just cause in violation of Article 5.5 of the contract.

Adjustment or Settlement Requested (To be completed by Union)

Reinstate grievant to the rank of Sergeant, make grievant whole for lost wages and benefits. Purge the personnel file of any reference to the demotion.

I authorize the Union to act for me in the disposition of this grievance and authorize the employer to release any information requested by the Union regarding this grievance.

X K. Braddock Signature of Grievant X Sgt. Fagan Signature of Local Union Representative 3/24/10 Date

Name of Employer Representative who handled the grievance at the following steps:

Verbal Step Apr. 14/10 1st Written Step _____ 2nd Written Step _____

Employer's Answer to 1st Written Step: If grievance is denied, give reasons and proofs.

Grievance Number

Employer's Answer to 2nd Written Step:

X _____ Signature of Employer Representative

NOTICE TO LOCAL UNION -- Make 3 Copies: (1) Employer, (2) Union, (3) Local Union. Be sure to send all proofs and evidence to the Union office along with Grievance.

OFFICIAL UNION GRIEVANCE FORM

Name of Employer City of Pontiac

Phone

(248)

Grievance Number

Name of Local Union

TPSA

Phone

(248)

758-3341

758-3336

Statement of Grievance: List what happened, where, when, why. Also, any contract violation.

On March 22, 2010, the employer demoted Sergeant Kevin Harris to the rank of Patrol Officer. The demotion is without just cause in violation of Article 5.5 of the contract.

Adjustment or Settlement Requested: (To be completed by Union)

Reinstate grievant to the rank of Sergeant, make grievant whole for lost wages and benefits. Purge the personnel file of any reference to the demotion.

I authorize the Union to act for me in the disposition of this grievance and authorize the employer to release any information requested by the Union regarding this grievance.

X

[Signature]
Signature of Grievant

X

[Signature]
Signature of Local Union Representative

3/30/10

Date

Name of Employer Representative who handled the grievance at the following steps:

Verbal Step

[Signature] 4/1/10

1st Written Step

2nd Written Step

Employer's Answer to 1st Written Step: If grievance is denied, give reasons and proofs.

Grievance Number

Employer's Answer to 2nd Written Step:

X

Signature of Employer Representative

NOTICE TO LOCAL UNION — Make 3 Copies: (1) Employer, (2) Union, (3) Local Union. Be sure to send all proofs and evidence to the Union office along with Grievance.

OFFICIAL UNION GRIEVANCE FORM

Name of Employer City of Pontiac

Name of Local Union PPSA

10-154
Grievance Number

Phone (248) 758-3341

Phone (248) 758-3336

Statement of Grievance: List what happened, where, when, why. Also, any contract violation.
On March 22, 2010, the employer demoted Sergeant Kathleen Mickens to the rank of Patrol Officer. The demotion is without just cause in violation of Article 5.5 of the contract.

Adjustment or Settlement Requested: (To be completed by Union)

Reinstate grievant to the rank of Sergeant, make grievant whole for lost wages and benefits. Purge the personnel file of any reference to the demotion.

I authorize the Union to act for me in the disposition of this grievance and authorize the employer to release any information requested by the Union regarding this grievance.

X Kathleen Mickens
Signature of Grievant

X Sch. Lee
Signature of Local Union Representative

3/30/10
Date

Name of Employer Representative who handled the grievance at the following steps:

Verbal Step 2nd/3rd/4th

1st Written Step

2nd Written Step

Employer's Answer to 1st Written Step: If grievance is denied, give reasons and proofs.

Grievance Number

Employer's Answer to 2nd Written Step:

X _____
Signature of Employer Representative

NOTICE TO LOCAL UNION — Make 3 Copies: (1) Employer, (2) Union, (3) Local Union.
Be sure to send all proofs and evidence to the Union office along with Grievance.

OFFICIAL UNION GRIEVANCE FORM

Name of Employer City of Pontiac

Name of Local Union PPSA

RECEIVED MAR 31 2010 POLICE SERVICES DIVISION PONTIAC, MI 48106	Grievance Number	10-155
	Phone (248) <u>758-2341</u>	
	(Include Area Code)	(248) <u>758-3336</u>

Statement of Grievance: List what happened, where, when, why. Also, any contract violation.

On March 22, 2010, the employer demoted Sergeant Ryan Roberts to the rank of Patrol Officer. The demotion is without just cause in violation of Article 6.5 of the contract.

Adjustment or Settlement Requested: (To be completed by Union)

Reinstate grievant to the rank of Sergeant. make grievant whole for lost wages and benefits. Purge the personnel file of any reference to the demotion.

I authorize the Union to act for me in the disposition of this grievance and authorize the employer to release any information requested by the Union regarding this grievance.

X [Signature]

Signature of Grievant

X

[Signature]

Signature of Local Union Representative

3/30/10

Name of Employer Representative who handled the grievance at the following steps:

Verbal Step [Signature] 4/1/10 1st Written Step _____ 2nd Written Step _____

Employer's Answer to 1st Written Step: If grievance is denied, give reasons and proofs.

Grievance Number

Employer's Answer to 2nd Written Step:

X

Signature of Employer Representative

NOTICE TO LOCAL UNION — Make 3 Copies: (1) Employer, (2) Union, (3) Local Union. Be sure to send all proofs and evidence to the Union office along with Grievance.



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

Dated: November 10, 2010

ORDER NO. S-33

RE: Fire Department – Work Schedule and Shift Changes held in Abeyance

TO: John Naglick, Acting Finance Director
Carl Johnson, Controller (Plante & Moran)
Jeffrey Hawkins, Chief of Fire Department
Larry Marshall, Human Resources Director
Damon Harney, President, Pontiac Fire Fighters Union, Local 376

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; (f) Make, approve or disapprove any appropriation, contract, expenditure...; and (h) Exercise all of the authority of the unit of local government to renegotiate existing labor contracts and act as an agent of the unit of local government in collective bargaining with employees or representatives and approve any contract or agreement".

In an effort to reduce overtime costs and balance the Fire Department's overtime budget, the City of Pontiac and the Fire Chief prepared a plan to implement a new work schedule and associated shift changes that had the expected impact of reducing overtime. The new plan was introduced to the Pontiac Fire Fighters Union, Local 376, and multiple bargaining sessions occurred where the parties negotiated over the implementation of the proposed plan. At the conclusion of these bargaining sessions, the Pontiac Fire Fighters Union's final position was that it opposed the implementation of proposed changes, and that if the City of Pontiac and the Fire Chief attempted to implement the proposed changes, the Union would take legal action against the City of Pontiac. Therefore, pending

further collective bargaining with the Fire Fighters Union, the following Order is being entered.

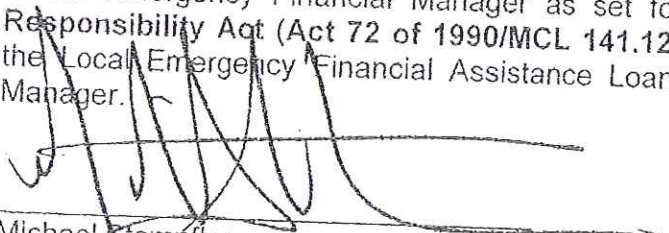
It is hereby ordered:

- (1) That the approval granted in sub-paragraph (1) of Order S-17, and directives of the Fire Chief as outlined in his Memorandum dated September 22, 2010, implementing changes to the Pontiac Fire Department's work schedules and related staffing, shall be held in abeyance until further notice.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampf
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

RECEIVED
CITY OF PONTIAC

2010 NOV 23 AM 8:31

Dated: November 22, 2010

ORDER NO. S-34

RE: Rescinding of Pontiac Police Supervisors Association Demotions

TO: Val Gross, Police Chief
John Naglick, Acting Finance Director
Larry Marshall, Human Resources Director
Devin Scott, Labor Relations
Mark Hotz, City Attorney
Yvette Talley, City Clerk
Carl Johnson, Controller (Plante & Moran)

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; (f) Make, approve or disapprove any appropriation, contract, expenditure...; and (h) Exercise all of the authority of the unit of local government to renegotiate existing labor contracts and act as an agent of the unit of local government in collective bargaining with employees or representatives and approve any contract or agreement".

That pursuant to Order S-30 issued by the Emergency Financial Manager on November 9, 2010, four members of the Pontiac Police Supervisors Association (PPSA) were issued layoff/demotion notices on November 12, 2010. These notices provided an option to four individuals to either be laid off or be demoted into the patrol officer rank. Subsequent to the issuing of the notices on November 12, 2010, the PPSA submitted a formal proposal to the office of the Emergency Financial Manager which detailed recent retirements of Police Department Supervisors, cost-cutting measures, and manning information relative to levels of

supervision in the Pontiac Police Department. Based upon the proposal submitted to the Emergency Financial Manager from the PPSA, and subsequent negotiations, the following Order is entered.

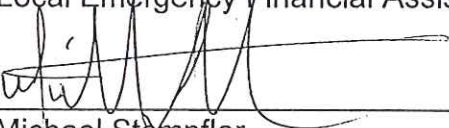
It is hereby ordered:

- (1) That all four (4) layoff/demotion notices issued to the four (4) members of the PPSA on November 12, 2010 are hereby rescinded and shall have no further effect.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfler
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

RECEIVED
CITY OF PONTIAC
2010 DEC -9 PM 12:40

Dated: December 7, 2010

ORDER NO. S-35

RE: Termination of Duplicate Health Care Insurance Coverage
of Certain Retirees

TO: Mark Hotz, City Attorney
Sheryl Stubblefield, Acting City Treasurer
Yvette Talley, City Clerk
John Naglick, Acting Finance Director
Devin Scott, Acting Human Resources Director
Carl Johnson, Controller (Plante & Moran)
David N. Sheeran, CPA (Meadowbrook Insurance)
Mark S. Kopson, Esq. (Plunkett Cooney)

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; and (f) Make, approve or disapprove any appropriation, contract, expenditure..."

It is hereby ordered:

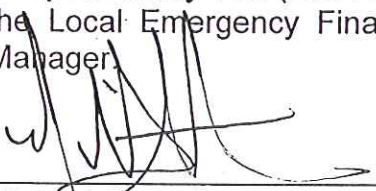
- (1) A review of the City's retire health benefits has determined that at least twenty-two City of Pontiac retirees are simultaneously enrolled in both the City of Pontiac's Active Employee program and the City's Retiree Medicare Advantage program with Humana.

- (2) Elimination of this duplicative coverage will save the City of Pontiac an estimated \$40,273 per year.
- (3) Accordingly, the City's Agent of Record, Meadowbrook Insurance, acting in coordination with the City's Human Resources Department, is ordered to:
 - a. Take all steps necessary to immediately terminate the Active Employee program coverage of all retirees who currently are enrolled in both the City of Pontiac's Active Employee program and the City's Retiree Medicare Advantage program; and
 - b. Notify all impacted retirees by United States Mail of such termination of the Active Employee program and of their continued coverage under the City's Retiree Medicare Advantage program with Humana.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfler
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

2010 DEC -9 P 12:47

RECEIVED
CITY OF PONTIAC

Dated: December 7, 2010

ORDER NO. S-36

RE: Dependent Verification Provision for Active Employees and
Commercial and Retiree Medicare Advantage Programs

TO: Mark Hotz, City Attorney
Sheryl Stubblefield, Acting City Treasurer
Yvette Talley, City Clerk
John Naglick, Acting Finance Director
Devin Scott, Acting Human Resources Director
Carl Johnson, Controller (Plante & Moran)
David N. Sheeran, CPA (Meadowbrook Insurance)
Mark S. Kopson, Esq. (Plunkett Cooney)

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; and (f) Make, approve or disapprove any appropriation, contract, expenditure...".

It is hereby ordered:


- (1) A review of the expenditures of the City's Active Employee and Retiree health care plans has determined the need to conduct a dependent verification process in both the City of Pontiac's Active Employee program and the City's Commercial and Retiree Medicare Advantage programs with Humana.

- (2) The dependant verification process will determine eligibility in the Active Employees and Retiree health care plans.
- (3) Accordingly, the City's Agent of Record, Meadowbrook Insurance, acting in coordination with the City's Human Resources Department, is ordered to:
 - a. Engage, on behalf of the City of Pontiac, the independent firm of Benefit Technologies to perform the dependent verification process commencing on or before December 17, 2010 and completed no later than March 1, 2011;
 - b. Notify all employees and retirees by United States Mail of such dependent verification process;
 - c. Immediately terminate all dependents who are found to be ineligible for coverage under any City of Pontiac health care program; and
 - d. Facilitate transfer of eligible Active Employees and Retirees from the City's self-funded commercial plan to the City's Medicare Advantage Plan.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfer
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3136
Fax: (248) 758-3195

Dated: December 14, 2010

ORDER NO. S-37

RE: Implementation of Layoff, Pontiac Police
Department

TO: Val Gross, Police Chief
John Naglick, Acting Finance Director
Devin Scott, Acting Human Resources Director
Mark Hotz, City Attorney
Yvette Talley, City Clerk
Jill Temple (SARCOM)
Carl Johnson, Controller (Plante & Moran)

2010 DEC 15 P 2:07

RECEIVED
CITY OF PONTIAC

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; (f) Make, approve or disapprove any appropriation, contract, expenditure...; and (h) Exercise all of the authority of the unit of local government to renegotiate existing labor contracts and act as an agent of the unit of local government in collective bargaining with employees or representatives and approve any contract or agreement".

It is hereby ordered:

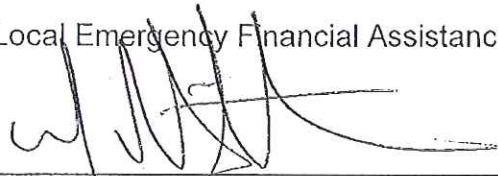
- (1) As a result of the City of Pontiac's severe financial situation, layoffs will be effectuated in the Pontiac Police Department.
- (2) The Human Resources Director will provide the layoff list certification to the Emergency Financial Manager by 3:00p.m. on Wednesday December 15, 2010.
- (3) No later than 4:00 p.m. on Wednesday, December 15, 2010, the Human Resources Director will distribute a copy of the list of employees to be laid off and individual employee layoff notices to the Chief of Police.
- (4) The Chief of Police will distribute all individual employee layoff notices to each affected employee by 12:00 p.m. on Thursday December 16, 2010.
- (5) The Chief of Police will require each affected employee to sign the individual employee layoff notice, and retain a copy for the City of Pontiac's records. The Chief of Police will return all signed copies of the individual employee layoff notices to the Human Resources Department by 5:00 p.m. Friday, December 17, 2010. If the Chief of Police is unable to return a signed and executed copy of the individual employee layoff notice to the Human Resources Department by 5:00 p.m. Friday December 17, 2010, the Chief of Police will provide a written report to the Human Resources Director providing a detailed explanation of why the signed and executed individual employee layoff notice was not executed and returned.
- (6) The final day of employment for each affected employee will be December 31, 2010.
- (7) Each affected employee must return all property of the City of Pontiac, including but not limited to, equipment, documents, access keys/cards, uniforms and radios to the Department by no later than 11:45 p.m. on December 31, 2010.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the

Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.

A handwritten signature in black ink, appearing to read 'Michael Stampfer', written over a horizontal line.

Michael Stampfer
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER

MICHAEL L. STAMPFLER

47450 Woodward Avenue

Pontiac, Michigan 48342

Telephone: (248) 758-3133

Fax: (248) 758-3292

RECEIVED

DEC 28 2010

**PONTIAC
CITY CLERK'S OFFICE**

Dated: December 28, 2010

ORDER NO. S-38

RE: Termination of Police Department Rider/Observer Program

**TO: Val Gross, Chief of Police
Mark Hotz, City Attorney
Yvette Talley, City Clerk
Tamantha Green, Risk Manager**

The **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** in **Section 141.1219** empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1)** provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: **"(e)** 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"; and **(f)** Make, approve or disapprove any appropriation, contract, expenditure..."; **(p)** Exercise the authority and responsibilities of the chief administrative officer and governing body concerning the adoption, amendment and enforcement of ordinances or resolutions affecting the financial condition of the unit of local government as provided in the following acts...(i) The home rule city act, 1909 PA 279, MCL 117.1 to 117.38...".

The City's insurer, the Michigan Municipal Risk Management Authority, has advised the City that, "the MMRMA does not recommend that anyone other than an authorized officer drive in an on-duty police vehicle." The MMRMA has express concerns regarding the potential adverse financial impact of the current policy on liability and workers compensation insurance. The MMRMA reports that the City has experienced an insurance claim in this regard in past years and the MMRMA, "strongly recommends that the City does not engage in this practice."

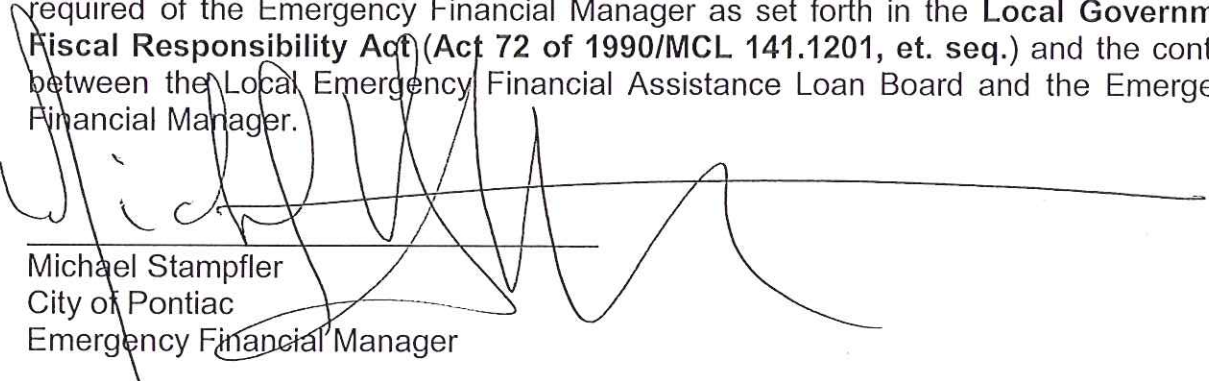
To avoid future insurance claims that would create a financial burden on the City and for the safety of the City's sworn officers while operating police vehicles and responding to calls for service, **it is hereby ordered:**

- (1) The City of Pontiac Police Department Rider/Observer Program under Department Policies and Procedures, Section 6-4.1 through 6-4.4, entitled "Rider/Observer Program" is hereby terminated immediately.
- (2) The Police Chief is to advise all Pontiac police officers, in writing, no later than Saturday, December 31, 2010, of the termination of the Rider/Observer Program policy and strictly enforce the effects of the termination, with no exceptions.
- (3) The termination of the Rider/Observer Program shall not effect, in any way, other sworn law enforcement personnel from other jurisdictions who are involved in assisting the Pontiac Police Department and/or are requested or needed to ride in a Pontiac Police Department vehicle while acting in their official capacity.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfler
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council

Yvette Talley - Re: ORDER NO. S-38

From: Mary Pietila
To: Mark Hotz; Tamantha Green; Valard Gross; Yvette Talley; Yacedrah Williams
Date: 12/28/2010 3:42 PM
Subject: Re: ORDER NO. S-38
CC: Donald Watkins; George Williams; Kermit Williams; Lee Jones; Leon Jukows...

I find this to be very interesting, in light of everything, and with the knowledge that waivers are signed to release the City of all responsibility, I am going to say this is Mr. Stampfer's and Mr. Mayors way of getting back at the department for the officers not giving in to them by terminating their contract, and walking away from their benefits and \$\$ owed to them. Until such further date that we have a cash flow! After all this policy has been in effect since 07/2001. You want to strip the rights of the Chief, Captains and Sargent's for citizen education and understanding, because Officers weren't ready to walk away from their rights to express their dedication for their own city, not giving them what they want. The only difference from what seems to have happened in Talladega and Castleberry, is this man, doesn't have to account for his actions to the council, instead he feels he is The King, after all we are living in a dictatorship, at this time.

I have sworn to uphold the Charter of the City, State and the US constitutions, and I will continue to do as I have, this past year. However, I made a promise to myself and my constituents, I will not loose myself in who I am or what I stand for, because some man(men) wants to yank a chain.

>>> Yacedrah Williams 12/28/10 2:29 PM >>>
Good afternoon,

Please be advised of Order No. S-38 (attached) below. This email is to serve as a follow up to the hard copy that I have placed in your mail slot in the executive office.

Thank you.

Yacedrah M. Williams
City of Pontiac
Emergency Financial Managers Office
Ph: 248.758.3133
Fx: 248.758.3292
Ywilliams@pontiac.mi.us



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

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

RECEIVED
CITY OF PONTIAC

2010 DEC 28 P 2:30

Dated: December 28, 2010

ORDER NO. S-38

RE: Termination of Police Department Rider/Observer Program

TO: Val Gross, Chief of Police
Mark Hotz, City Attorney
Yvette Talley, City Clerk
Tamantha Green, Risk Manager

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; and (f) Make, approve or disapprove any appropriation, contract, expenditure..."; (p) Exercise the authority and responsibilities of the chief administrative officer and governing body concerning the adoption, amendment and enforcement of ordinances or resolutions affecting the financial condition of the unit of local government as provided in the following acts...(i) The home rule city act, 1909 PA 279, MCL 117.1 to 117.38...".

The City's insurer, the Michigan Municipal Risk Management Authority, has advised the City that, "the MMRMA does not recommend that anyone other than an authorized officer drive in an on-duty police vehicle." The MMRMA has express concerns regarding the potential adverse financial impact of the current policy on liability and workers compensation insurance. The MMRMA reports that the City has experienced an insurance claim in this regard in past years and the MMRMA, "strongly recommends that the City does not engage in this practice."

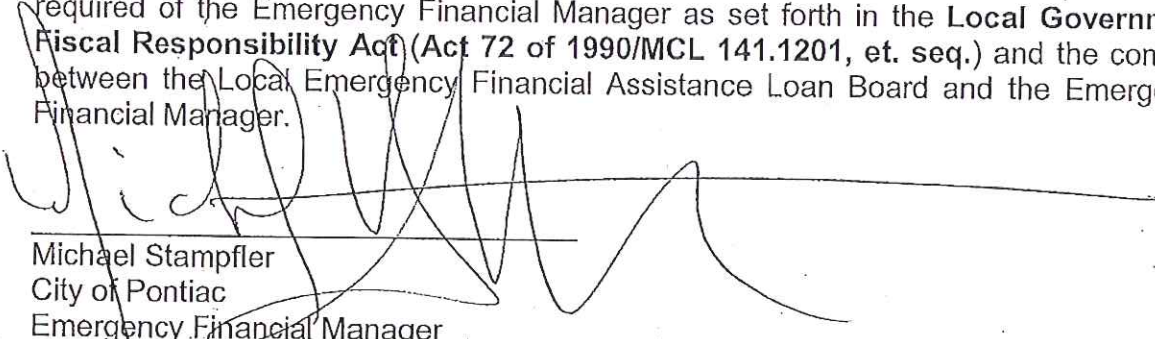
To avoid future insurance claims that would create a financial burden on the City and for the safety of the City's sworn officers while operating police vehicles and responding to calls for service, **it is hereby ordered:**

- (1) The City of Pontiac Police Department Rider/Observer Program under Department Policies and Procedures, Section 6-4.1 through 6-4.4, entitled "Rider/Observer Program" is hereby terminated immediately.
- (2) The Police Chief is to advise all Pontiac police officers, in writing, no later than Saturday, December 31, 2010, of the termination of the Rider/Observer Program policy and strictly enforce the effects of the termination, with no exceptions.
- (3) The termination of the Rider/Observer Program shall not effect, in any way, other sworn law enforcement personnel from other jurisdictions who are involved in assisting the Pontiac Police Department and/or are requested or needed to ride in a Pontiac Police Department vehicle while acting in their official capacity.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfler
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council

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CITY OF PONTIAC, MICHIGAN

ORDER NO. S-39 OF THE EMERGENCY FINANCIAL MANAGER

To: Frederick B. Headen, State of Michigan
Mark Hotz, City Attorney
Yvette Talley, City Clerk

Effective Date: January 28, 2011

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: ... (b) Amend, revise, approve, or disapprove the budget of the unit of local government, and limit the total amount appropriated or expended during the balance of the financial emergency. (f) Make, approve, or disapprove any appropriation, ..., expenditure.

1. Request for payment on behalf of the Federal Programs Division to Travis Systems, Inc. for annual software maintenance for One Roof Software used by the Federal Programs Division for contractor specifications, loans and client database in the amount of \$1,650.00. Signed on December 10, 2010.
2. Request for payment on behalf of the Federal Programs Division to R.J. Hoffman Management, Inc. for demolition of structure for NSP 1 Program in the amount of \$11,749.00. Signed on December 10, 2010.
3. Request for payment on behalf of the Federal Programs Division to R.J. Hoffman Management, Inc. for demolition of structure for NSP 1 Program in the amount of \$8,129.00. Signed on December 10, 2010.
4. Request for payment on behalf of the Federal Programs Division to R.J. Hoffman Management, Inc. for demolition of structures for NSP 1 Program in the amount of \$6,215.00. Signed on December 10, 2010.
5. Request for payment on behalf of the Federal Programs Division to R.J. Hoffman Management, Inc. for asbestos abatement and demolition of structure in the amount of \$6,755.00. The lot will be deeded to Habitat of Oakland County for construction of a single family. Signed on December 10, 2010.

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CITY OF PONTIAC

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ORDER NO. S-39

January 28, 2011

6. Request for payment on behalf of the Federal Programs Division to R.J. Hoffman Management, Inc. for asbestos abatement of structure for NSP 1 Program in the amount of \$16,500.00. Signed on December 10, 2010.
7. Request for payment on behalf of the Federal Programs Division to R.J. Hoffman Management, Inc. for demolition of structure for NSP 1 Program in the amount of \$5,305.00. Signed on December 10, 2010.
8. Request for payment on behalf of the Federal Programs Division to R.J. Hoffman Management, Inc. for asbestos abatement for structure in the amount of \$1,937.50. Signed on December 10, 2010.
9. Request for payment on behalf of the Federal Programs Division for an inter-fund billing. Federal Programs will immediately draw down funds from HUD account as reimbursement of the Engineering Division in the amount of \$106,212.87. Signed on December 14, 2010.
10. Request for payment on behalf of the Federal Programs Division to Greenan Excavating, LLC for asbestos abatement for NSP 1 Program in the amount of \$15,650.00. Signed on December 14, 2010.
11. Request for payment on behalf of the Federal Programs Division to Testing Engineers and Consultants for asbestos surveys in the amount of \$31,654.00. Signed on December 14, 2010.
12. Request for payment on behalf of the Federal Programs Division to Greenan Excavating, LLC for asbestos abatement for NSP 1 Program in the amount of \$3,700.00. Signed on December 14, 2010.
13. Request for payment on behalf of the Federal Programs Division to Berkshire Development for asbestos abatement and demolition of structure in the amount of \$19,826.25. Signed on December 14, 2010.
14. Request for payment on behalf of the Federal Programs Division to Berkshire Development for asbestos abatement and demolition in the amount of \$29,720.00. Signed on December 14, 2010.
15. Request for payment on behalf of the Federal Programs Division to Greenan Excavating, LLC for demolition of structures for NSP 1 Program in the amount of \$24,560.00. Signed on December 14, 2010.

ORDER NO. S-39

January 28, 2011

16. Request for payment on behalf of the Federal Programs Division to Berkshire Development for asbestos abatement of structures in the amount of \$4,110.00. Signed on December 14, 2010.
17. Request for payment on behalf of the Federal Programs Division to Greenan Excavating, LLC for asbestos abatement of structures in preparation for demolition for NSP 1 Program in the amount of \$1,550.00. Signed on December 14, 2010.
18. Request for payment on behalf of the Federal Programs Division to Greenan Excavating, LLC for asbestos abatement of structures in preparation for demolition for NSP 1 Program in the amount of \$10,800.00. Signed on December 14, 2010.
19. Request for payment on behalf of the Federal Programs Division to SA Torello Demolition, Inc. for asbestos abatement of structures in preparation for demolition for NSP 1 Program in the amount of \$19,400.90. Signed on December 15, 2010.

20. Request for payment for wire transfer to Pontiac School District Intercept Agreement in the amount of \$61,231.92. Funds to be wired to Fifth Third Bank by December 15, 2010. Wire transfer funds represents funds collected through November 30, 2010. Signed on December 15, 2010.
21. Payroll Authorization Status Form for Yacedrah M. Williams for temporary new hire. Signed on December 15, 2010.
22. Payroll Authorization Status Form for David Agar for retirement. Signed on December 17, 2010.
23. Payroll Authorization Status Form for Timothy Ball for layoff. Signed on December 17, 2010.
24. Payroll Authorization Status Form for Stanley Burkett for end of assignment. Signed on December 17, 2010.
25. Payroll Authorization Status Form for Elizabeth Cantrell for retirement. Signed on December 17, 2010.
26. Payroll Authorization Status Form for Matthew Fowlkes for retirement. Signed on December 16, 2010.

ORDER NO. S-39

January 28, 2011

27. Payroll Authorization Status Form for Steve Gangnier for temporary promotion to Fire Inspector. Signed on December 17, 2010.
 28. Payroll Authorization Status Form for Jerry Hendon for bump/transfer as he exercises his bumping rights per Collective Bargaining Agreement. Signed on December 17, 2010.
 29. Payroll Authorization Status Form for Thomas Hudock for layoff. Signed December 17, 2010.
 30. Payroll Authorization Status Form for Rayfus Jones for termination of employment. Signed December 16, 2010.
 31. Payroll Authorization Status Form for David Luther for layoff. Signed on December 17, 2010.
 32. Payroll Authorization Status Form for Ronald Pelshaw for a step increase for 5/30/10 per Collective Bargaining Agreement. Signed December 17, 2010.
-
33. Payroll Authorization Status Form for Ronald Pelshaw for a step increase for 11/30/10 per Collective Bargaining Agreement. Signed December 17, 2010.
 34. Payroll Authorization Status Form for Mark Perkins for promotion to Fire Inspector. Signed on December 17, 2010.
 35. Payroll Authorization Status Form for Jeremy Richert for layoff. Signed on December 17, 2010.
 36. Payroll Authorization Status Form for Luis Rivera bump/transfer as he exercises his bumping rights per Collective Bargaining Agreement. Signed on December 17, 2010.
 37. Payroll Authorization Status Form for Lawrence Rouse for end of assignment. Signed on December 17, 2010.
 38. Payroll Authorization Status Form for Michael Self for layoff. Signed on December 16, 2010.
 39. Payroll Authorization Status Form for George Semwile for layoff. Signed on December 16, 2010.

ORDER NO. S-39

January 28, 2011

40. Payroll Authorization Status Form for Aaron Silorey for step increase per Collective Bargaining Agreement. Signed on December 17, 2010.
41. Payroll Authorization Status Form for Anthony Thomas bump/transfer as he exercises his bumping rights per Collective Bargaining Agreement. Signed on December 17, 2010.
42. Payroll Authorization Status Form for Bryant Vaughn bump/transfer as he exercises his bumping rights per Collective Bargaining Agreement. Signed on December 17, 2010.
43. Payroll Authorization Status Form for Jack White bump/transfer as he exercises his bumping rights per Collective Bargaining Agreement. Signed on December 17, 2010.
44. Payroll Authorization Status Form for Kent Wilson for step increase per Collective Bargaining Agreement. Signed on December 17, 2010.
45. Payroll Authorization Status Form for Christopher Pruyt for temporary new hire. Signed on December 27, 2010.
46. Payroll Authorization Status Form for Robert O'Brien for temporary new hire. Signed on December 27, 2010.
47. Payroll Authorization Status Form for Larry Robinson for layoff continuation. Signed on December 27, 2010.
48. Payroll Authorization Status Form for Dessir Burroughs for layoff. Signed on December 27, 2010.
49. Payroll Authorization Status Form for Brian Bovee for layoff. Signed on December 27, 2010.
50. Payroll Authorization Status Form for Damon Dorkins for layoff. Signed on December 27, 2010.
51. Payroll Authorization Status Form for Kyle Hayes for layoff. Signed on December 27, 2010.
52. Payroll Authorization Status Form for Darrin McAllister for layoff. Signed on December 27, 2010.
53. Payroll Authorization Status Form for Che McNeary for layoff. Signed on December 27, 2010.

ORDER NO. S-39

January 28, 2011

54. Payroll Authorization Status Form for Kathleen Mickens for layoff. Signed on December 27, 2010.
55. Payroll Authorization Status Form for Christopher Miracle for layoff. Signed on December 27, 2010.
56. Payroll Authorization Status Form for Michael Paramo for layoff. Signed on December 27, 2010.
57. Payroll Authorization Status Form for Donnell Reed for layoff. Signed on December 27, 2010.
58. Michigan Department of Transportation annual permit. City of Pontiac is required to apply for annual permit that allows the City to perform maintenance activities, host parades, trim trees, install services and maintain public utilities without applying for individual permits for every instance of work within the MDOT right of way. Signed on December 27, 2010.
59. Payroll Authorization Status Form for Darence Betts for retirement. Signed on January 3, 2011.
60. A contract dated January 3, 2011 between Axe & Ecklund, P.C. and the City of Pontiac in the amount of \$3,500.00 is hereby approved, effective January 5, 2011.
61. A contract dated January 11, 2011 Municipal Financial Consultants Incorporated and the City Pontiac in the amount of \$2,500.00 is hereby approved, effective January 11, 2011.
62. Payroll Authorization Status Form for Shelby Medlock for layoff. Signed on January 13, 2011.
63. Payroll Authorization Status Form for Jack White for layoff. Signed January 13, 2011.
64. Payroll Authorization Status Form for Jerry Holland for temporary rehire. Signed on January 13, 2011.
65. Payroll Authorization Status Form for James Eggleston for temporary rehire. Signed on January 13, 2011.

ORDER NO. S-39

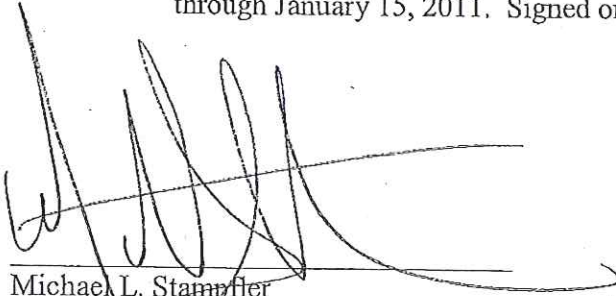
January 28, 2011

66. Payroll Authorization Status Form for Ernest Johnson for bump/transfer as he exercises his bumping rights per Collective Bargaining Agreement. Signed on January 13, 2011.
67. Payroll Authorization Status Form for Thomas S. Hudock for rehire. Signed on January 13, 2011.
68. Payroll Authorization Status Form for Joseph Clark rehire for replacement during an employee's leave of absence. Signed on January 13, 2011.
69. Payroll Authorization Status Form for Melissa English for temporary rehire. Signed on January 13, 2011.
70. Request for payment on behalf of the Federal Programs Division to Testing Engineers and Consultants for pre-demolition asbestos surveys as part of Pontiac's blight elimination program in the amount of \$1,965.00. Signed on January 18, 2011.
71. Request for payment on behalf of the Federal Programs Division to R. J. Hoffman Management, Inc. for the removal of extra debris as part of Pontiac's blight elimination program in the amount of \$415.00. Signed on January 18, 2011.
72. Request for payment on behalf of the Federal Programs Division to R. J. Hoffman Management, Inc. for the asbestos abatement and demolition, as part Pontiac's NSP1 blight elimination program in the amount of \$15,215.00. Signed on January 18, 2011.
73. Request for payment on behalf of the Federal Programs Division to R. J. Hoffman Management, Inc. for demolition as part of Pontiac's blight elimination program in the amount of \$4,760.00. Signed on January 18, 2011.
74. Request for payment on behalf of the Federal Programs Division to SA Torello Demolition, Inc. for asbestos abatement (removal of transite siding) in preparation for demolition as part of Pontiac's NSP1 slum and blight demolition program in the amount of \$6,750.00. Signed on January 18, 2011.
75. A contract dated January 18, 2011 between Municipal Financial Consultants Incorporated and the City Pontiac in the amount of \$9,700.00 is hereby approved, effective January 19, 2011.
76. A contract dated January 19, 2011 between Municipal Financial Consultants Incorporated and the City Pontiac in the amount of \$5,500.00 is hereby approved effective January 19, 2011.

ORDER NO. S-39

January 28, 2011

77. A contract dated January 20, 2011 between Nowak & Fraus Engineers for demolition and site clearance of vacant structures and the City of Pontiac in the amount of \$194,306.80 is hereby approved effective January 20, 2011.
78. Request for payment for wire transfer to Pontiac School District Intercept Agreement in the amount of \$39,219.73. Funds to be wired to Fifth Third Bank by January 31, 2011. Wire transfer funds represents funds collected through January 15, 2011. Signed on January 25, 2011.

A large, stylized handwritten signature in black ink, appearing to read 'Michael L. Stampfer', is written over a horizontal line.

Michael L. Stampfer
Emergency Financial Manager

xc: All Department Heads



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER

MICHAEL L. STAMPFLER

47450 Woodward Avenue

Pontiac, Michigan 48342

Telephone: (248) 758-3133

Fax: (248) 758-3292

RECEIVED
CITY OF PONTIAC
2011 JAN 19 A 9:05

Dated: January 14, 2011

ORDER NO. S-40

RE: Implementation of Layoff, Building Safety
Engineering Division

TO: John Naglick, Acting Finance Director
Devin Scott, Acting Human Resources Director
Mark Hotz, City Attorney
Yvette Talley, City Clerk
Jill Temple (SARCOM)
Carl Johnson, Controller (Plante & Moran)
Allen Schneck, Director of DPW&U

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; (f) Make, approve or disapprove any appropriation, contract, expenditure...; and (h) Exercise all of the authority of the unit of local government to renegotiate existing labor contracts and act as an agent of the unit of local government in collective bargaining with employees or representatives and approve any contract or agreement".

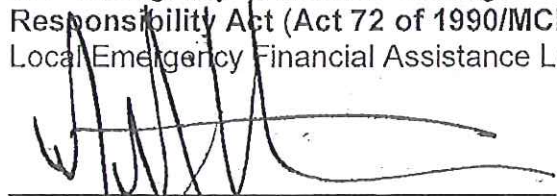
It is hereby ordered:

- (1) As a result of the City of Pontiac's severe financial situation, layoffs will be effectuated in the Building Safety Engineering Division.
- (2) The Human Resources Director will provide the layoff list certification to the Emergency Financial Manager by 12:00p.m. on Wednesday, January 19, 2011.
- (3) No later than 12:00 p.m. on Wednesday, January 19, 2011, the Human Resources Director will distribute a copy of the list of employees to be laid off and individual employee layoff notices to the Director the Department of Public Works and Utilities.
- (4) The Director of the Department of Public Works and Utilities will distribute all individual employee layoff notices to each affected employee by 4:00 p.m. on Wednesday, January 19, 2011.
- (5) The Director of the Department of Public Works and Utilities will require each affected employee to sign the individual employee layoff notice, and retain a copy for the City of Pontiac's records. The Director of the Department of Public Works and Utilities will return all signed copies of the individual employee layoff notices to the Human Resources Department by 5:00 p.m. Thursday, January 20, 2011. If the Director of the Department of Public Works and Utilities is unable to return a signed and executed copy of the individual employee layoff notice to the Human Resources Department by 5:00 p.m. Thursday, January 20, 2011, the Director of the Department of Public Works and Utilities will provide a written report to the Human Resources Director providing a detailed explanation of why the signed and executed individual employee layoff notice was not executed and returned.
- (6) The final day of employment for each affected employee will be February 4, 2011.
- (7) Each affected employee must return all property of the City of Pontiac, including but not limited to, equipment, documents, access keys/cards, uniforms and radios to the Department by no later than 4:00 p.m. on February 4, 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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfer
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER

MICHAEL L. STAMPFLER

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

Dated: February 4, 2011

ORDER NO. S-41

RE: Axe & Ecklund, P.C. / Bond Counsel

TO: Mark Hotz, City Attorney
Sheryl Stubblefield, Acting City Treasurer
Yvette Talley, City Clerk
John Naglick, Acting Finance Director
Devin Scott, Human Resources Director
Allan Schneck, Director of DPW & U/Community Development
Khalfani Stephens, Executive Director, Pontiac Growth Group
Carl Johnson, Controller (Plante & Moran)

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; and (f) Make, approve or disapprove any appropriation, contract, expenditure...".

It is hereby ordered:

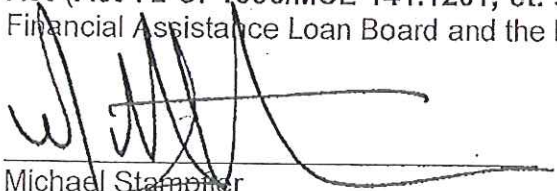
- (1) Axe & Ecklund, P.C. is appointed as Bond Counsel for the City of Pontiac and all of its political subdivisions, entities and funds for all of the City's bonds, effective immediately.
- (2) The EFM accepts the contract dated January 28, 2011 of Axe & Ecklund, P.C. to provide professional services as Bond Counsel, effective immediately.

- (3) The contract with Axe & Ecklund, P.C. is deemed to be a professional service contract excluded in Section 2-521 from the requirements of Section 2-516, et. seq. (Purchasing) of the Municipal Code of Pontiac, Michigan.
- (4) The City Attorney shall advise by February 11, 2011, in writing, the Mayor, City Council, City Department Heads and the head of all City of Pontiac political subdivisions, affiliated entities and funds. Such notification of the Order shall also include the express direction that "The Emergency Financial Manager orders the prompt and full cooperation of all City of Pontiac elected and appointed officials, department heads, employees and all other individuals with responsibility for the City of Pontiac, its affiliated political subdivisions, entities and funds with Axe & Ecklund, P.C. Such prompt and full cooperation, along with providing accurate and complete information to Axe & Ecklund, P.C. is essential in order for the City to have timely information to meet its financial challenges."
- (5) The City Attorney take all steps necessary to have all City records reflect that Axe & Ecklund, P.C. is bond counsel for the City.
- (6) The Controller shall prepare the necessary budget amendment to provide funding for the contract for approval by the Emergency Financial Manager by February 11, 2011.
- (7) The Acting Finance Director is to insure that the services provided by Axe & Ecklund, P.C. are appropriately charged and paid by the City of Pontiac political subdivision, affiliated entities and funds using the firm's services.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampher
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER

MICHAEL L. STAMPFLER

47450 Woodward Avenue

Pontiac, Michigan 48342

Telephone: (248) 758-3133

Fax: (248) 758-3292

Dated: February 4, 2011

ORDER NO. S-41

RE: Axe & Ecklund, P.C. / Bond Counsel

TO: Mark Hotz, City Attorney
Sheryl Stubblefield, Acting City Treasurer
Yvette Talley, City Clerk
John Naglick, Acting Finance Director
Devin Scott, Human Resources Director
Allan Schneck, Director of DPW & U/Community Development
Khalfani Stephens, Executive Director, Pontiac Growth Group
Carl Johnson, Controller (Plante & Moran)

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; and (f) Make, approve or disapprove any appropriation, contract, expenditure..."

It is hereby ordered:

- (1) Axe & Ecklund, P.C. is appointed as Bond Counsel for the City of Pontiac and all of its political subdivisions, entities and funds for all of the City's bonds, effective immediately.
- (2) The EFM accepts the contract dated January 28, 2011 of Axe & Ecklund, P.C. to provide professional services as Bond Counsel, effective immediately.

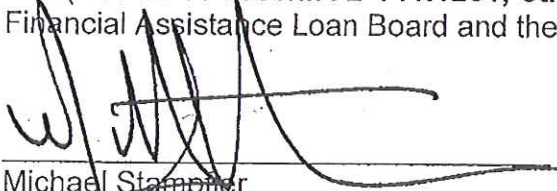
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- (3) The contract with Axe & Ecklund, P.C. is deemed to be a professional service contract excluded in Section 2-521 from the requirements of Section 2-516, et. seq. (Purchasing) of the Municipal Code of Pontiac, Michigan.
- (4) The City Attorney shall advise by February 11, 2011, in writing, the Mayor, City Council, City Department Heads and the head of all City of Pontiac political subdivisions, affiliated entities and funds. Such notification of the Order shall also include the express direction that "The Emergency Financial Manager orders the prompt and full cooperation of all City of Pontiac elected and appointed officials, department heads, employees and all other individuals with responsibility for the City of Pontiac, its affiliated political subdivisions, entities and funds with Axe & Ecklund, P.C. Such prompt and full cooperation, along with providing accurate and complete information to Axe & Ecklund, P.C. is essential in order for the City to have timely information to meet its financial challenges."
- (5) The City Attorney take all steps necessary to have all City records reflect that Axe & Ecklund, P.C. is bond counsel for the City.
- (6) The Controller shall prepare the necessary budget amendment to provide funding for the contract for approval by the Emergency Financial Manager by February 11, 2011.
- (7) The Acting Finance Director is to insure that the services provided by Axe & Ecklund, P.C. are appropriately charged and paid by the City of Pontiac political subdivision, affiliated entities and funds using the firm's services.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfer
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council

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FEB 11 2011

PONTIAC
CITY CLERK'S OFFICE



CITY OF PONTIAC
OFFICIAL MEMORANDUM

Mayor Leon B. Jukowski

Law Department

TO: Mayor Leon B. Jukowski
Deputy Mayor Edward K. Glass, Jr.
Council President Lee A. Jones, District Six
Council President Pro-Tem Patrice Waterman, District One
Councilman George Williams, District Two
Councilwoman Mary Pietila, District Three
Councilman Randy Carter, District Four
Councilman Donald Watkins, District Five
Councilman Kermit Williams, District Seven
Chief of Police Valard Gross
Interim Fire Chief Antonio Macias
Acting Finance Director, John Naglick
Director of the Department of Public Works and Utilities, Allan E. Schneck
Acting Director of the Department of Human Resources, Devin Scott
Executive Director of the Pontiac Growth Group, Khalfani Stephens
Sheryl Stubblefield, Acting City Treasurer
City Clerk Yvette Talley
Denise Buckley of Plante Moran
Carl Johnson of Plante Moran

FROM: 
Mark J. Hotz, City Attorney

DATE: Thursday, February 10, 2011

RE: Order No. S-41 – Axe & Ecklund, P.C. / Bond Counsel and
Order No. S-42 – Municipal Financial Consultants, Inc. / Financial Advisor

Pursuant to the Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) Michael L. Stampfler, the Emergency Financial Manager for the City of Pontiac previously issued the above-described orders (copies of which are attached although you should have already received the documents on or about February 4, 2011).

Both orders require that the City Attorney advise, the “Mayor, City Council, City Department Heads and the head of all City of Pontiac political subdivisions, affiliated entities and funds” that “Axe & Ecklund, P.C. is appointed Bond Counsel for the City of Pontiac and all

of its political subdivisions, entities and funds for all of the City's bonds, effective immediately" (Order No. S-41 dated February 4, 2011) and that "Municipal Financial Consultants, Inc. ("MFCI") is appointed as Financial Advisor for the City of Pontiac and all of its political subdivisions, entities and funds for all of the City's bonds and indebtedness, effective immediately." (Order No. S-42 dated February 4, 2011) [Emphasis added]

Also, each order requires that you be notified that: "The Emergency Financial Manager orders the prompt and full cooperation of all City of Pontiac elected and appointed officials, department heads, employees and all other individuals with responsibility for the City of Pontiac, its affiliated political subdivisions, entities and funds with Axe & Ecklund, P.C." and "MFCI". [Emphasis added] The respective orders further state that: Such prompt and full cooperation, along with providing accurate and complete information to Axe & Ecklund, P.C. and MFCI is essential in order for the City to have timely information to meet its financial challenges. In addition, the orders compel the City Attorney to take all steps necessary to have all City records reflect that Axe & Ecklund, P.C. is bond counsel for the City and that MFCI is Financial Advisor for the City.

So that we are all in full compliance with the requirements of the orders, I would respectfully request that you promptly and fully cooperate with both of the previously identified entities along with providing them with accurate and complete information as well as taking the necessary steps to insure that the City records reflect that Axe & Ecklund, P.C. is bond counsel for the City and that MFCI is Financial Advisor for the City. Please make sure that all City representatives, employees and staff and other individuals or companies working for or on behalf of the City are aware of the mandates incorporated in the orders and make certain they comply with said orders.

In an effort to fulfill my obligations as outlined in the orders, I have identified on this Memorandum those individuals affiliated with the City that I believe would be subject to their terms. It is my expectation that in his capacity as the Executive Director of the Pontiac Growth Group, Mr. Stephens will advise the various City economic development entities such as the Brownfield Redevelopment Authority, the Downtown Development Authority, the Economic Development Corporation, the General Building Authority, and the Tax Increment Finance Authority including but not limited to their respective chairmen of the terms and conditions of the orders as well as their obligation to comply. However, if I have overlooked a person or entity that should receive a copy of this Official Memorandum with the orders attached, I would appreciate it if you would provide me with that information as soon as possible.

Finally, I would recommend that you maintain copies of both orders and this Official Memorandum in your offices, departments and divisions so they are readily available should there be a need to review them in the future.

Attachments

cc: Michael L. Stampfler, Emergency Financial Manager
File



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER

MICHAEL L. STAMPFLER

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

RECEIVED
CITY OF PONTIAC

2011 FEB - 4 A 9:11

Dated: February 4, 2011

ORDER NO. S-42

RE: Municipal Financial Consultants, Inc. / Financial Advisor

TO: Mark Hotz, City Attorney
Sheryl Stubblefield, Acting City Treasurer
Yvette Talley, City Clerk
John Naglick, Acting Finance Director
Devin Scott, Human Resources Director
Allan Schneck, Director of DPW & U/Community Development
Khalfani Stephens, Executive Director, Pontiac Growth Group
Carl Johnson, Controller (Plante & Moran)

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; and (f) Make, approve or disapprove any appropriation, contract, expenditure...".

It is hereby ordered:

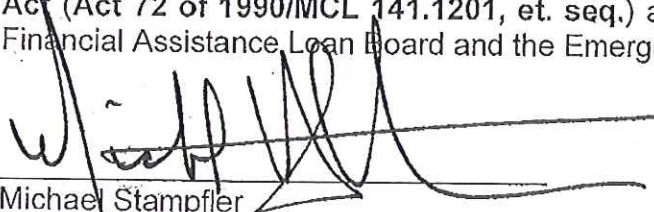
- (1) Municipal Financial Consultants, Inc. ("MFCI") is appointed as Financial Advisor for the City of Pontiac and all of its political subdivisions, entities and funds for all of the City's bonds and indebtedness, effective immediately.
- (2) The EFM accepts the contract dated January 28, 2011 of MFCI to provide professional services as Financial Advisor, effective immediately.

- (3) The contract with MFCI is deemed to be a professional service contract excluded in Section 2-521 from the requirements of Section 2-516, et. seq. (Purchasing) of the Municipal Code of Pontiac, Michigan.
- (4) The City Attorney shall advise by February 11, 2011, in writing, the Mayor, City Council, City Department Heads and the head of all City of Pontiac political subdivisions, affiliated entities and funds. Such notification of the Order shall also include the express direction that "The Emergency Financial Manager orders the prompt and full cooperation of all City of Pontiac elected and appointed officials, department heads, employees and all other individuals with responsibility for the City of Pontiac, its affiliated political subdivisions, entities and funds with MFCI. Such prompt and full cooperation, along with providing accurate and complete information to MFCI is essential in order for the City to have timely information to meet its financial challenges."
- (5) The City Attorney take all steps necessary to have all City records reflect that MFCI is Financial Advisor for the City.
- (6) The Controller shall prepare the necessary budget amendment to provide funding for the contract of MFCI for approval by the Emergency Financial Manager by February 11, 2011.
- (7) The Acting Finance Director is to insure that the services provided by MFCI are appropriately charged and paid by the City of Pontiac political subdivision, affiliated entities and funds using the firm's services.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfler
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council

RECEIVED
CITY OF PONTIAC



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER

2011 FEB -7 A 9:44

MICHAEL L. STAMPFLER

47450 Woodward Avenue

Pontiac, Michigan 48342

(248) 758-3136

Fax: (248) 758-3195

Dated: February 4, 2011

Order No. S-43

RE: Contract for Cost Sharing Allocations Between MDOT and the City of Pontiac for the M-59 and Opdyke Road Interchange Project
(MDOT Contract No. 10-5389)

TO: Mark Hotz, City Attorney
Allan E. Schneck, Director, Dept of Public Works & Utilities
Yvette Talley, City Clerk

Whereas, Section 141.1221 (1) of the Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201 et. seq.) provides that an Emergency Financial Manager may take one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: ..."(f) Make, approve, or disapprove any appropriation, contract, expenditure".

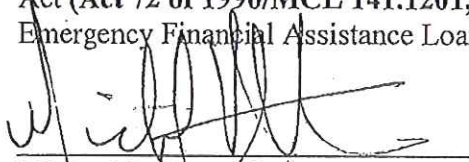
It is hereby ordered:

- (1) The City of Pontiac Department of Public Works & Utilities is authorized to proceed with the contract as submitted by the Michigan Department of Transportation for cost sharing allocations between the City of Pontiac and MDOT for the M-59 and Opdyke Road Interchange Project. MDOT Contract No. 10-5389.

This 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 the Law Department 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 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 Financial Manager as set forth in the Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael L. Stampfler
City of Pontiac
Emergency Financial Manager

cc: State of Michigan, Department of Treasury
Leon B. Jukowski, Mayor
Pontiac City Council



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

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

RECEIVED

FEB 09 2011

PONTIAC
CITY CLERK'S OFFICE

Dated: February 9, 2011

ORDER NO. S-44

RE: Implementation of Layoff, Termination and
Position Elimination Procedures

TO: Khalfani Stephens, Director of Growth Group
Val Gross, Police Chief
Alan Schneck, Director, DPW&U/Community Development
Tyrone Hinton, Acting Director of Federal Programs
John Naglick, Acting Finance Director
Antonio Macias, Acting Fire Chief
Devin Scott, Acting Human Resources Director
Mark Hotz, City Attorney
Yvette Talley, City Clerk
Jill Temple (SARCOM)
Carl Johnson, Controller (Plante & Moran)

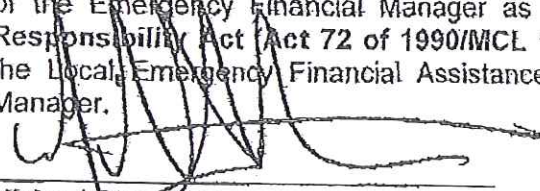
The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a Manager considers necessary to accomplish the purposes of the Act and any such orders are binding on the local officials or employees to whom they are issued. Section 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; (f) Make, approve or disapprove any appropriation, contract, expenditure...; and (h) Exercise all of the authority of the unit of local government to renegotiate existing labor contracts and act as an agent of the unit of local government in collective bargaining with employees or representatives and approve any contract or agreement".

- (1) The City Attorney advise by February 21, 2011, in writing, the Mayor, City Council, City Department Heads and the head of all City of Pontiac affiliated entities and funds that Innovative Software Services, Inc. will collect City income tax. Such notification of the Order shall also include the express direction that "The Emergency Financial Manager orders the prompt and full cooperation of all City of Pontiac elected and appointed officials, department heads, employees and all other individuals with responsibility for the City of Pontiac, its affiliated entities and funds. Such prompt and full cooperation, with Innovative Software Services, Inc. is essential in order for the City to timely collect City income tax.
- (2) The City Attorney take all steps necessary to have all City records reflect that Innovative Software Services, Inc. is the City's agent for purposes of income tax collection and any and all reports to the State of Michigan.
- (3) The Controller shall prepare the necessary budget amendment to provide funding for the contract for approval by the Emergency Financial Manager by February 23, 2011.
- (4) The Acting Finance Director is instructed to provide workspace for Innovative Software Services, Inc. personnel at City Hall, as the need may arise.
- (5) The Contract is excluded from the provisions of Article VI of Chapter 2 of City Ordinance (Sec. 2-516, et seq.) as stated in Sec. 2-521.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfer
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

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

RECEIVED

FEB 09 2011

PONTIAC
CITY CLERK'S OFFICE

Dated: February 9, 2011

ORDER NO. S-44

RE: Implementation of Layoff, Termination and
Position Elimination Procedures

TO: Khalfani Stephens, Director of Growth Group
Val Gross, Police Chief
Alan Schneck, Director, DPW&U/Community Development
Tyrone Hinton, Acting Director of Federal Programs
John Naglick, Acting Finance Director
Antonio Macias, Acting Fire Chief
Devin Scott, Acting Human Resources Director
Mark Hotz, City Attorney
Yvette Talley, City Clerk
Jill Temple (SARCOM)
Carl Johnson, Controller (Plante & Moran)

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; (f) Make, approve or disapprove any appropriation, contract, expenditure...; and (h) Exercise all of the authority of the unit of local government to renegotiate existing labor contracts and act as an agent of the unit of local government in collective bargaining with employees or representatives and approve any contract or agreement".

Despite continuing expense reduction and cost saving measures enacted during the first six months of Pontiac's Fiscal Year 2010-11, the Cash Flow Report dated January 31, 2011, issued by Plante & Moran indicates that the City remains in dire financial condition. The Plante & Moran report updated the City's financial status after reviewing six months of actual financial data and estimated future revenues and expenses for the remaining six months of the Fiscal Year. This report shows that Pontiac, despite the current pace of implementing savings, would not be able to comply with the target goal for the City's Deficit Elimination Plan at the end of this Fiscal Year. This situation is exacerbated by the City being unable to realize savings from a transfer of police and dispatch services to Oakland County. At current pace, the City will incur an additional \$700,000 in further deficit because:

- (A) The City continues to experience depressed property tax revenue collection. The poor economy continues to adversely affect the City's collection rate. Property tax revenues are now estimated by Plante & Moran (the City Controllers) in a Cash Flow Report dated January 31, 2011 to be approximately \$300,000 less than originally anticipated in the adopted 2010-11 Fiscal Year budget;
- (B) The layoffs implemented in November and early December of 2010 resulted in approximately \$200,000 less savings according to Plante & Moran in a Cash Flow Report dated January 31, 2011, because of "bumping" rights, high cost of employee benefit pay-outs and according to Meadowbrook (the City's Insurance Agent of Record), higher than usual number of health care claims from laid off employees;
- (C) Plante & Moran is anticipating the May payment from Oakland County to reimburse the City for uncollected taxes this year will be lower than anticipated in the adopted 2010-11 Fiscal Year budget, in a Cash Flow Report dated January 31, 2011, because of additional deductions the County is entitled to take for previously uncollected taxes due to a greater number of foreclosures in prior years. This deduction will mean an approximately \$200,000 shortfall from that budgeted in the 2010-2011 Budget adopted July 1, 2010.

Due to the City's longstanding policy of paying two months of full benefits after an employee has been laid off, the total impact of cost savings must be achieved in the last four months of the 2010-11 Fiscal Year. Consequently, the layoffs stated in this Order are required to attempt to meet the State-mandated Deficit Elimination Plan targeted goal for June 30, 2011 which allows a structural deficit of \$3,373,695.

Further expense reduction and cost saving measures can expect to be implemented, as necessary.

It is hereby ordered:

- (1) As a result of the City of Pontiac's severe financial situation, layoffs, terminations and position eliminations will be effectuated pursuant to the attached Lay-Off List dated Wednesday, February 9, 2011.

- (2) No later than 9:00 a.m. on Friday, February 18, 2011, the Human Resources Director will provide a progress report to the Emergency Financial Manager, with copies of all layoff and termination notices and accompanying documents.
- (3) The Human Resources Director will distribute a copy of the full Layoff List and individual employee layoff notices to each responsible Department Head by no later than 12:00 p.m. on Monday, February 21, 2011.
- (4) Except as outlined in paragraph (6)(a) below, each Department Head will distribute all individual employee layoff notices to each affected employee by 12:00 p.m. on Wednesday, February 23, 2011.
- (5) Each Department Head will require each affected employee sign the individual employee layoff notice, and retain a copy for the City of Pontiac's records. Each Department Head will return all signed copies of the individual employee layoff notices to the Human Resources Department by 5:00 p.m. on Friday, February 25, 2011. If the Department Head is unable to return a signed and executed copy of the individual employee layoff notice to the Human Resources Department by 5:00 p.m. on Friday, February 25, 2011, the Department Head will provide a written report to the Human Resources Director providing a detailed explanation of why the signed and executed individual employee layoff notice was not executed and returned.
- (6) The layoffs and final day of employment for each affected group of employees will be as follows:
 - a. **AFSCME Local 2002 employees:** All affected AFSCME Local 2002 employees will be provided individual employee layoff notices by 12:00 p.m. on Friday, February 25, 2011 from Department Head. The final day of employment for all laid off AFSCME Local 2002 employees will be on Friday, March 11, 2011.
 - b. **Teamsters Local 214 employees:** All affected Teamsters Local 214 employees will be provided individual employee layoff notices by 12:00 p.m. on Friday, February 25, 2011. The final day of employment for all laid off Teamsters Local 214 employees will be on Friday, March 11, 2011.
 - c. **Pontiac Police and Fire Dispatchers Association (PPFDA):** All affected PPFDA employees will be provided individual employee layoff notices by 12:00 p.m. on Friday, February 25, 2011 from Department Head. The final day of employment for all laid off PPFDA employees will be on Friday, March 11, 2011.
 - d. **Pontiac Police Officers Association (PPOA):** All affected PPOA employees will be provided individual employee layoff notices by 12:00 p.m. on Friday, February 25, 2011. The final day of employment for all laid off PPOA employees will be Friday, March 11, 2011.

- e. **Full Time Non-Union Employees:** All affected full time non-union employees will be provided individual employee termination notices by 12:00 p.m. on Friday, February 25, 2011. Although not required or provided for, each affected full time non-union employee will be provided two (2) weeks notice. Therefore, the final day of employment for all terminated full time non union employees will be Friday, March 11, 2011.
 - f. **Temporary Employees:** All affected temporary employees will be provided individual employee termination notices by 12:00 p.m. on Friday, February 25, 2011. Although not required or provided for, each affected full time temporary employee will be provided two (2) weeks notice. Therefore, the final day of employment for all terminated temporary employees will be March 11, 2011.
- (7) Each affected employee must return all property of the City of Pontiac, including but not limited to, equipment, documents, access keys/cards, uniforms and cellular telephones to their respective Department Head by no later than 4:00 p.m. on Friday, March 11, 2011.
 - (8) SARCOM will be responsible to collect any and all returned employee information systems or technical equipment from the respective Department Heads by no later than noon, Monday, March 14, 2011 and will provide a report to the Emergency Financial Manager commenting on the completion of this task by 5:00 p.m. that date.
 - (9) The Human Resources Department will ensure that all bumping rights are carried out consistent with any applicable collective bargaining agreements.
 - (10) That the Human Resources Director will provide a weekly report to the Emergency Financial Manager regarding the status of staffing changes and the impact of bumping rights by 4:00 p.m. on the following dates:
 - Monday, March 14, 2011
 - Monday, March 21, 2011
 - Monday, March 28, 2011

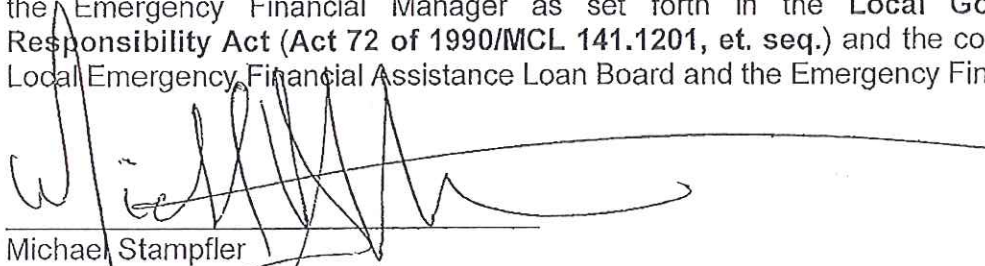
The final report shall be due on April 11, 2011.

- (11) The Controller shall prepare and effectuate a budget amendment for all expense reductions related to the lay-offs, for review and approval by the Emergency Financial Manager on April 15, 2011.
- (12) The Acting Finance Director is hereby appointed to also act as the City's Purchasing Agent until further notice.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.

A handwritten signature in dark ink, appearing to read 'Michael Stampfler', is written over a horizontal line. The signature is stylized with several loops and a long horizontal stroke extending to the right.

Michael Stampfler
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council

LAYOFF LIST
CITY OF PONTIAC
February 9, 2011

TEAMSTERS LOCAL 214

DEPARTMENT	DIVISION	SENIORITY	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
Finance	Treasury	9/1/2004	McCarver	Mala	Account Clerk II	\$28,018.00	\$2,771.00
Finance	Treasury	6/24/2002	Wilson	Rose	Property Tax Accountant	\$39,125.00	\$22,503.00
Finance	Treasury	12/28/2001	English	Melissa	Cashier II	\$25,667.00	\$21,149.00
DPW&U	Recreation	6/28/1999	Breeze	Sharon	Clerk	\$22,984.00	\$21,982.00
Police	Administrative	6/26/1999	Raquel	McKnight	Police Records Clerk	\$28,059.00	\$20,567.00
Police	Administrative	8/4/1997	Kywan	Freeman	Impound Vehicle Clerk	\$26,957.00	\$20,443.00
DPW&U	Planning	12/4/1995	Daniel	Tiwanna	Personal Secretary	\$34,528.00	\$23,436.00
							7 POSITIONS
							\$338,189.00

AFSCME LOCAL 2002

DEPARTMENT	DIVISION	SENIORITY	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
DPW&U	Grounds Maintenance	5/9/1994	White	Johnny	Park Maintenance Worker III	\$31,741.00	\$31,605.00
DPW&U	Highway Maintenance	12/9/1987	McNary	Kimberly	Utility Equipment Operator	\$39,978.00	\$37,347.00
DPW&U	Electrical	11/17/1981	Lee	David	Utility Equipment Operator	\$39,978.00	\$31,524.00
							3 POSITIONS
							\$212,173.00

PONTIAC POLICE OFFICERS ASSOCIATION

DEPARTMENT	DIVISION	SENIORITY	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
POLICE	Uniformed Services	10/20/1997	Stevens	Renee	Patrol Officer	\$50,482.00	\$43,390.00
POLICE	Uniformed Services	10/20/1997	Gray	Jerri	Patrol Officer	\$50,482.00	\$43,390.00
POLICE	Uniformed Services	10/20/1997	Garcia	Ruben	Patrol Officer	\$50,482.00	\$43,390.00
POLICE	Uniformed Services	8/18/1997	Myers	Dataryen	Patrol Officer	\$50,482.00	\$43,390.00
POLICE	Uniformed Services	8/18/1997	Ellis	Pedro	Patrol Officer	\$50,482.00	\$43,390.00
POLICE	Uniformed Services	8/18/1997	Bell	Shedrick	Patrol Officer	\$50,482.00	\$43,390.00
POLICE	Uniformed Services	6/30/1997	Miller	Adam	Patrol Officer	\$50,482.00	\$44,102.00
POLICE	Investigative Services	5/5/1997	McDonald	Scott	Patrol Officer	\$50,482.00	\$43,390.00
POLICE	Investigative Services	3/4/1997	Martin	Maurice	Patrol Officer	\$50,482.00	\$45,740.00
							9 POSITIONS
							\$847,910.00

PONTIAC POLICE AND FIRE DISPATCHERS ASSOCIATION

DEPARTMENT	DIVISION	PROMOTION	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES
POLICE	Administrative Services	9/14/2005	Dennis	Dawn	Communication Specialist	\$33,363.00	\$22,937.00
							1 POSITION
							\$56,300.00

Layoff List
City of Pontiac
February 9, 2011

TEMPORARY EMPLOYEES							
DEPARTMENT	DIVISION	LAST NAME	FIRST NAME	TITLE	ANNUAL SALARY	TOTAL FRINGES	
DPW&U Executive Office	Building & Safety	Long	Theresa	Temporary Clerical VII	\$27,040.00	\$0.00	
		Key	Tracey	Temp Clerical Worker V	\$22,880.00	\$631.00	
						4 POSITIONS	
						\$50,551.00	

NON-UNION FULL TIME EMPLOYEES					
DEPARTMENT	DIVISION	SENIORITY	LAST NAME	FIRST NAME	TITLE
Police Police Police Finance Human Resources	Admin. Services	11/27/1989	Nelson	Monica	Technical Support Specialist
	Admin. Services	12/12/1994	McDougal	Jerissa	Administrative Assistant
	Admin. Services	6/16/1997	Mason	Shirley	Administrative Assistant
	Purchasing	11/28/2003	Denham	Derek	Purchasing Agent
	Human Resources	7/1/2009	Swain-Mills	Beyonka	Human Resource Analyst
					ANNUAL SALARY
					\$42,682.00
					\$33,800.00
					\$42,682.00
					\$58,531.00
					\$40,289.00
					TOTAL FRINGES
					\$25,845.00
					\$23,478.00
					\$22,875.00
					\$21,779.00
					\$80,310.00
					\$60,108.00
					5 POSITIONS
					\$331,780.00
					25 Full Time Positions
					2 Temporary Positions
					Total
					<u>\$1,836,903.00</u>

Layoff List
City of Pontiac
February 9, 2011



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER

MICHAEL L. STAMPFLER

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

Dated: February 14, 2011

ORDER NO. S-45

RE: Innovative Software Services Contract

TO: Mark Hotz, City Attorney
Sheryl Stubblefield, Acting City Treasurer
Yvette Talley, City Clerk
John Naglick, Acting Finance Director
Carl Johnson, Controller (Plante & Moran)

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; and (f) Make, approve or disapprove any appropriation, contract, expenditure..."

The collection rate of Pontiac income tax has continued to deteriorate and resulted in loss of revenue at unacceptable levels. As a result, quick action is needed to improve the rate of income tax collections.

In my capacity as Emergency Financial Manager for the City of Pontiac, I have approved a professional services contract with Innovative Software Services, Inc. dated February 14, 2011 ("Contract") to increase income tax collections, reduce costs and streamline the process to collect City income tax.

It is hereby ordered:



RECEIVED

FEB 17 2011


CITY OF PONTIAC
OFFICIAL MEMORANDUM

PONTIAC
CITY CLERK'S OFFICE

Mayor Leon B. Jukowski

Law Department

TO: Mayor Leon B. Jukowski
Deputy Mayor Edward K. Glass, Jr.
Council President Lee A. Jones, District Six
Council President Pro-Tem Patrice Waterman, District One
Councilman George Williams, District Two
Councilwoman Mary Pietila, District Three
Councilman Randy Carter, District Four
Councilman Donald Watkins, District Five
Councilman Kermit Williams, District Seven
Chief of Police Valard Gross
Interim Fire Chief Antonio Macias
Acting Finance Director, John Naglick
Director of the Department of Public Works and Utilities, Allan E. Schneck
Acting Director of the Department of Human Resources, Devin Scott
Executive Director of the Pontiac Growth Group, Khalfani Stephens
Sheryl Stubblefield, Acting City Treasurer
City Clerk Yvette Talley
Denise Buckley of Plante Moran
Carl Johnson of Plante Moran

FROM: 
Mark J. Hotz, City Attorney

DATE: Wednesday, February 16, 2011

RE: Order No. S-45 – Innovative Software Services Contract

Pursuant to the Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) Michael L. Stampfler, the Emergency Financial Manager for the City of Pontiac previously issued the above-described Order (a copy of which is attached although you should have already received the document earlier).

Order S-45 requires that the City Attorney advise, "... in writing, the Mayor, City Council, City Department Heads and the head of all City of Pontiac affiliated entities and funds that Innovative Software Services, Inc. will collect City income tax." [Emphasis added]

In addition, the Order requires that you be notified that: 'The Emergency Financial Manager orders the prompt and full coopération of all City of Pontiac elected and appointed officials, department heads, employees and all other individuals with responsibility for the City of Pontiac, its affiliated entities and funds' with Innovative Software Services, Inc. [Emphasis added] Order S-45 further state that: "Such prompt and full cooperation, with Innovative Software Services, Inc. is essential in order for the City to timely collect City income tax." [Emphasis added] Also, the Order compels the City Attorney to take all steps necessary to have all City records reflect that Innovative Software Services, Inc. is the City's agent for purposes of income tax collection and any and all reports to the State of Michigan.

So that we are all in full compliance with the requirements of Order S-45, I would respectfully request that you promptly and fully cooperate with the representatives of Innovative Software Services, Inc. along with providing them with accurate and complete information as well as taking the necessary steps to insure that the City records reflect that said entity is the City's agent for purposes of income tax collection and any and all reports to the State of Michigan. Please make sure that all City representatives, employees and staff and other individuals or companies working for or on behalf of the City are aware of the mandates incorporated in the Order and make certain they comply with said Order.

In an effort to fulfill my obligations as outlined in Order S-45, I have identified in this Memorandum those individuals affiliated with the City that I believe would be subject to its terms. It is my expectation that in his capacity as the Executive Director of the Pontiac Growth Group, Mr. Stephens will advise the various City economic development entities such as the Brownfield Redevelopment Authority, the Downtown Development Authority, the Economic Development Corporation, the General Building Authority, and the Tax Increment Finance Authority including but not limited to their respective chairmen of the terms and conditions of the Order as well as their obligation to comply. However, if I have overlooked a person or entity that should receive a copy of this Official Memorandum with Order S-45 attached, I would appreciate it if you would provide me with that information as soon as possible.

Finally, I would recommend that you maintain copies of the Order and this Official Memorandum in your offices, departments and divisions so they are readily available should there be a need to review them in the future.

Attachment

cc: Michael L. Stampfler, Emergency Financial Manager
File

MJH/bms

In addition, the Order requires that you be notified that: 'The Emergency Financial Manager orders the prompt and full coopération of all City of Pontiac elected and appointed officials, department heads, employees and all other individuals with responsibility for the City of Pontiac, its affiliated entities and funds' with Innovative Software Services, Inc. [Emphasis added] Order S-45 further state that: "Such prompt and full cooperation, with Innovative Software Services, Inc. is essential in order for the City to timely collect City income tax." [Emphasis added] Also, the Order compels the City Attorney to take all steps necessary to have all City records reflect that Innovative Software Services, Inc. is the City's agent for purposes of income tax collection and any and all reports to the State of Michigan.

So that we are all in full compliance with the requirements of Order S-45, I would respectfully request that you promptly and fully cooperate with the representatives of Innovative Software Services, Inc. along with providing them with accurate and complete information as well as taking the necessary steps to insure that the City records reflect that said entity is the City's agent for purposes of income tax collection and any and all reports to the State of Michigan. Please make sure that all City representatives, employees and staff and other individuals or companies working for or on behalf of the City are aware of the mandates incorporated in the Order and make certain they comply with said Order.

In an effort to fulfill my obligations as outlined in Order S-45, I have identified in this Memorandum those individuals affiliated with the City that I believe would be subject to its terms. It is my expectation that in his capacity as the Executive Director of the Pontiac Growth Group, Mr. Stephens will advise the various City economic development entities such as the Brownfield Redevelopment Authority, the Downtown Development Authority, the Economic Development Corporation, the General Building Authority, and the Tax Increment Finance Authority including but not limited to their respective chairmen of the terms and conditions of the Order as well as their obligation to comply. However, if I have overlooked a person or entity that should receive a copy of this Official Memorandum with Order S-45 attached, I would appreciate it if you would provide me with that information as soon as possible.

Finally, I would recommend that you maintain copies of the Order and this Official Memorandum in your offices, departments and divisions so they are readily available should there be a need to review them in the future.

Attachment

cc: Michael L. Stampfler, Emergency Financial Manager
File

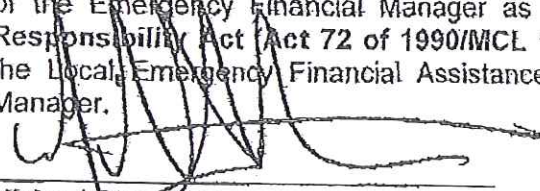
MJH/bms

- (1) The City Attorney advise by February 21, 2011, in writing, the Mayor, City Council, City Department Heads and the head of all City of Pontiac affiliated entities and funds that Innovative Software Services, Inc. will collect City income tax. Such notification of the Order shall also include the express direction that "The Emergency Financial Manager orders the prompt and full cooperation of all City of Pontiac elected and appointed officials, department heads, employees and all other individuals with responsibility for the City of Pontiac, its affiliated entities and funds. Such prompt and full cooperation, with Innovative Software Services, Inc. is essential in order for the City to timely collect City income tax.
- (2) The City Attorney take all steps necessary to have all City records reflect that Innovative Software Services, Inc. is the City's agent for purposes of income tax collection and any and all reports to the State of Michigan.
- (3) The Controller shall prepare the necessary budget amendment to provide funding for the contract for approval by the Emergency Financial Manager by February 23, 2011.
- (4) The Acting Finance Director is instructed to provide workspace for Innovative Software Services, Inc. personnel at City Hall, as the need may arise.
- (5) The Contract is excluded from the provisions of Article VI of Chapter 2 of City Ordinance (Sec. 2-516, et seq.) as stated in Sec. 2-521.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfer
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Mayor Leon B. Jukowski

Law Department

TO: Mayor Leon B. Jukowski
Deputy Mayor Edward K. Glass, Jr.
Council President Lee A. Jones, District Six
Council President Pro-Tem Patrice Waterman, District One
Councilman George Williams, District Two
Councilwoman Mary Pietila, District Three
Councilman Randy Carter, District Four
Councilman Donald Watkins, District Five
Councilman Kermit Williams, District Seven
Chief of Police Valard Gross
Interim Fire Chief Antonio Macias
Acting Finance Director, John Naglick
Director of the Department of Public Works and Utilities, Allan E. Schneck
Acting Director of the Department of Human Resources, Devin Scott
Executive Director of the Pontiac Growth Group, Khalfani Stephens
Sheryl Stubblefield, Acting City Treasurer
Tyrone Hinton, Director of the Federal Programs Division
City Clerk Yvette Talley
Denise Buckley of Plante Moran
Carl Johnson of Plante Moran
Michael Wilson, Building Official

RECEIVED
CITY OF PONTIAC
2011 FEB 18 P 3:21

FROM:


Mark J. Hotz, City Attorney

DATE: Friday, February 18, 2011

RE: Order No. S-46 – Wade Trim Associates, Inc. Contract

Pursuant to the Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) Michael L. Stampfler, the Emergency Financial Manager for the City of Pontiac previously issued the above-described Order (a copy of which is attached).

Order S-46 requires that the City Attorney advise, "... in writing, the Mayor, City Council, City Department Heads and the head of all City of Pontiac affiliated entities and funds that



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

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

Dated: February 16, 2011

ORDER NO. S-46

RE: Wade Trim Associates, Inc. Contract

TO: Mark Hotz, City Attorney
Sheryl Stubblefield, Acting City Treasurer
Yvette Talley, City Clerk
John Naglick, Acting Finance Director
Allan Schneck, DPW&U Director
Michael Wilson, Building Official
Val Gross, Police Chief
Antonio Macias, Fire Chief
Carl Johnson, Controller (Plante & Moran)
Charles Smith (Wade Trim Associates, Inc.)

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take on one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: "(e) 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"; and (f) Make, approve or disapprove any appropriation, contract, expenditure...".

In order to provide the City with building inspection, safety engineering, planning, zoning, community development and related services and assistance concerning federal and state grants and programs, I directed that such services be competitively bid and the City issued a Request for Proposal.

In my capacity as Emergency Financial Manager for the City of Pontiac, I have approved a professional services contract with Wade Trim Associates, Inc. dated February

16, 2011 ("Contract") to provide the City with building inspection, safety engineering, planning, zoning, community development and related services and assistance concerning federal and state grants and programs ("Services").

The Contract with Wade Trim Associates, Inc. provides:

- A. Comprehensive building inspection, safety engineering, planning, zoning, community development and related services and assistance concerning federal and state grants and programs to be provided by Wade Trim Associates, Inc. to benefit Pontiac citizens and property owners;
- B. Wade Trim Associates, Inc. will work out of offices on the first floor of City Hall from 8:00 a.m. to 5:00 p.m., Monday through Friday; and
- C. The City has developed Performance Goals for Wade Trim Associates, Inc., including timely inspections and community outreach, to improve services to the public and to insure that all appropriate revenues and expenditures are collected/assigned correctly; and
- D. That insufficiencies identified in the 2009-10 City Audit conducted by Rehmann Robson concerning the City's Building & Safety, Community Development and Federal and State Programs Divisions are to be corrected and proper and full compliance with all applicable Federal/State regulations guiding these programs achieved; and
- E. The City's direct cost for the Contract will be the same or less than the cost for the services as stated in the original Fiscal Year 2010-11 Budget with improved Services resulting from achievement of the Performance Goals.

It is hereby ordered:

- (1) The City Attorney advise by February 22, 2011, in writing, the Mayor, City Council, City Department Heads and the head of all City of Pontiac affiliated entities and funds that Wade Trim Associates, Inc. will provide the Services. Such notification of the Order shall also include the express direction that "The Emergency Financial Manager orders the prompt and full cooperation of all City of Pontiac elected and appointed officials, department heads, employees and all other individuals with responsibility for the City of Pontiac, its affiliated entities and funds with Wade Trim Associates, Inc. Such prompt and full cooperation, with Wade Trim Associates, Inc. is essential in order for the City to provide Services to the City, its residents and property owners."
- (2) The City Attorney take all steps necessary to have all City records reflect that Wade Trim Associates, Inc. is providing Services in the City.
- (3) The Controller shall prepare the necessary budget amendment to provide funding for the Contract for approval by the Emergency Financial Manager by February 24, 2011.

Wade Trim Associates, Inc. will provide ..." the following Services: building inspection, safety engineering, planning, zoning, community development and related services and assistance concerning federal and state grants and programs. [Emphasis added]

In addition, the Order requires that you be notified that: 'The Emergency Financial Manager orders the prompt and full cooperation of all City of Pontiac elected and appointed officials, department heads, employees and all other individuals with responsibility for the City of Pontiac, its affiliated entities and funds with Wade Trim Associates, Inc.' [Emphasis added] Order S-46 further states that: "Such prompt and full cooperation, with Wade Trim Associates, Inc. is essential in order for the City to provide Services to the City, its residents and property owners." Also, the Order compels the City Attorney to take all steps necessary to have all City records reflect that Wade Trim Associates, Inc. is providing Services in the City.

So that we are all in full compliance with the requirements of Order S-46, I would respectfully request that you promptly and fully cooperate with the representatives of Wade Trim Associates, Inc. along with providing them with accurate and complete information as well as taking the necessary steps to insure that the City records reflect that said entity is providing the above-described Services in the City. Please make sure that all City representatives, employees and staff and other individuals or companies working for or on behalf of the City are aware of the mandates incorporated in the Order and make certain they comply with said Order.

In an effort to fulfill my obligations as outlined in Order S-46, I have identified in this Memorandum those individuals affiliated with the City that I believe would be subject to its terms. It is my expectation that in his capacity as the Executive Director of the Pontiac Growth Group, Mr. Stephens will advise the various City economic development entities such as the Brownfield Redevelopment Authority, the Downtown Development Authority, the Economic Development Corporation, the General Building Authority, and the Tax Increment Finance Authority including but not limited to their respective chairmen of the terms and conditions of the Order as well as their obligation to comply. However, if I have overlooked a person or entity that should receive a copy of this Official Memorandum with Order S-46 attached, I would appreciate it if you would provide me with that information as soon as possible.

Finally, I would recommend that you maintain copies of the Order and this Official Memorandum in your offices, departments and divisions so they are readily available should there be a need to review them in the future.

Attachment

cc: Michael L. Stampfler, Emergency Financial Manager
File

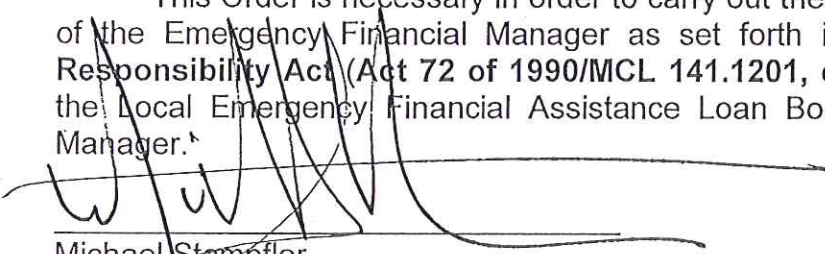
MJH/bms

- (4) The Acting Finance Director is instructed to insure that workspace as designated in the Contract for Wade Trim Associates, Inc. personnel on the first floor of City Hall, as the need may arise.
- (5) Despite the Contract being excluded from the provisions of Article VI of Chapter 2 of City Ordinance (Sec. 2-516, et seq.) as stated in Sec. 2-521, the City, at my directive, issued a Request for Proposal for the Services, received proposals from three (3) firms that bid and responded, and awarded the Contract after review by staff and meetings with bidders.
- (6) Wade Trim Associates, Inc. shall report directly to the Emergency Financial Manager as required under the Contract.

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 the Law Department 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 Financial Manager as set forth in the **Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.)** and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.



Michael Stampfler
City of Pontiac
Emergency Financial Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER

MICHAEL L. STAMPFLER

47450 Woodward Avenue

Pontiac, Michigan 48342

Telephone: (248) 758-3133

Fax: (248) 758-3292

RECEIVED

MAR 04 2011

PONTIAC
CITY CLERK'S OFFICE

CITY OF PONTIAC, MICHIGAN

ORDER NO. S-47 OF THE EMERGENCY FINANCIAL MANAGER

To: State of Michigan Department of Treasury
Mark Hotz, City Attorney
Yvette Talley, City Clerk

Effective Date: February 24, 2011

Subject: Administrative Appointment

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: ... (i) Notwithstanding the provisions of any charter to the contrary, ... appoint, supervise, and at his or her discretion, remove heads of departments....

Due to the financial emergency that exists in the City, I have determined that it is in the best interests of the municipality to extend the appointment of Mr. John Naglick as Acting Finance Director for a period of two hundred-two (202) days commencing on October 11, 2010 and terminating on April 30, 2011. Mr. Naglick will continue in exercising all duties and responsibilities as were granted to him by Order No. S-9.

This order is effective immediately and is necessary to carry out the duties and responsibilities required of the Emergency Financial Manager as set forth in the Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et seq.) and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.

Michael L. Stampfler
Emergency Financial Manager

xc: Mayor Leon Jukowski
Pontiac City Council
Mr. John Naglick



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

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

CITY OF PONTIAC, MICHIGAN

RECEIVED

MAR 01 2011

PONTIAC
CITY CLERK'S OFFICE

ORDER NO. S-48 OF THE EMERGENCY FINANCIAL MANAGER

To: State of Michigan Department of Treasury
Mark Hotz, City Attorney
Yvette Talley, City Clerk —
Alan Schneck, Director of the Department of Public Works
John Naglick, Acting Finance Director
Devin Scott, Acting Human Resources Director

Date: March 1, 2011

Subject: Department Reorganization

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: ... (i) Notwithstanding the provisions of any charter to the contrary, consolidate departments of the unit of local government or transfer functions from 1 department to another and to appoint ... heads of departments...."

Effective March 1, 2011, the following departments are reorganized:

The Department of Public Works & Utilities and Community Development is reorganized to be the Department of Public Works & Utilities and is created with the following divisions:

- Engineering and Sanitation Division
- Facilities and Highways Division
- Water, Sewer, Wastewater Treatment Plant Division

An organization chart for this new department is attached to this order. Mr. Allan Schneck is appointed Director of the Department of Public Works & Utilities.

The firm of Wade Trim is under contract to perform the functions of the Department of Building Safety as of March 1, 2011 and responsible for the enforcement of the State Construction Code, transient housing and rental property registration and inspection, business licensing, plan reviews, planning, zoning, and code enforcement. The Building Code Official shall report directly to the Emergency Financial Manager or his designee.



STATE OF MICHIGAN

RICK SNYDER
GOVERNOR

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
LANSING

GARY HEIDEL
EXECUTIVE DIRECTOR

February 1, 2011

Mr. Michael Stampfler
Emergency Financial Manager
City of Pontiac
47450 Woodward Avenue
Pontiac, Michigan 48342

Re: Neighborhood Stabilization Program 2 (NSP2) in Pontiac

Dear Mr. Stampfler:

On January 7, 2011, you, Deputy State Treasurer Thomas F. Saxton, Bureau of Local Government Services Director Frederick Headen, and I discussed by conference call NSP2 funding. Based on that discussion, this letter is intended to outline our mutual understanding about the investment of \$11.7 million in NSP2 project funding in the City of Pontiac anticipated under the Funding Agreement (No. NS2-2009-0380) between the Michigan State Housing Development Authority (MSHDA) and the City of Pontiac.

The context of our discussion included both MSHDA's need, on behalf of the entire Michigan NSP2 Consortium, to ensure that overall program progress keeps pace with aggressive federal expenditure deadlines and the City's ongoing concerns about its own ability to effectively oversee HUD programs given current staffing and funding issues. More importantly, we both agreed that despite these challenges, it is more important than ever to see that the investment NSP2 represents be deployed in the City of Pontiac to help lay the groundwork for revitalized and sustainable growth in the future.

To this end, MSHDA will take the following steps:

1. MSHDA will reprogram all NSP2 funds currently dedicated in the City of Pontiac's Funding Agreement to the Michigan Land Bank Fast Track Authority's (MLB) Funding Agreement for Pontiac. Effectively, this will zero out the City's grant and increase the MLB grant for activities within Pontiac to approximately \$14.8 million, including both program and administrative funding.
2. Through MSHDA's partnership with MLB, the same basic mix of activities anticipated within the original funding agreement will be carried out within the census tracts originally targeted by the Michigan NSP2 Consortium. This entails the demolition of blighted and foreclosed homes, land banking of homes and vacant lots for future redevelopment, rehabilitation of salvageable residential properties, and potentially some new construction of residential property.



MAR 01 2011

PONTIAC
CITY CLERK'S OFFICE

CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER
MICHAEL L. STAMPFLER

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

CITY OF PONTIAC, MICHIGAN

ORDER NO. S-49 OF THE EMERGENCY FINANCIAL MANAGER

To: Mark Hotz, City Attorney
Yvette Talley, City Clerk ✓
John Naglick, Acting Finance Director
Devin Scott, Acting Human Resources Director
Allan Schneck, Director of DPW &U/Community Development
Tyrone Hinton, Director of Federal Programs
Antonio Macias, Acting Fire Chief
Val Gross, Police Chief
Khalfani Stephens, Executive Director, Pontiac Growth Corporation

Date: March 1, 2011

Subject: Cell Phone Inventory

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: ... (a) Analyze factors and circumstances contributing to the financial condition of the unit of local government and recommend steps to be taken to correct the condition.


On page A3 of the audit for the fiscal year ended June 30, 2010, the auditors noted the following:

Cell Phones

The City does not currently maintain a list of approved cell phone users. As a result, the City is likely incurring at least some charges that are not reasonable and necessary. The City should inventory its cell phones and shut down unnecessary service.

Memorandum

To: Mark Hotz, City Attorney
Yvette Talley, City Clerk ✓
John Naglick, Acting Finance Director
Devin Scott, Acting Human Resources Director
Allan Schneck, Director of DPW & U/Community Development
Tyrone Hinton, Acting Director of Federal Programs
Antonio Macias, Acting Fire Chief
Val Gross, Police Chief
Khalfani Stephens, Executive Director, Pontiac Growth Corporation

From: Joseph M. Sobota, M.P.A., Assistant to the Emergency Financial Manager 

Date: 3/1/11

Re: Cell phone inventory

On page A3 of the audit for the fiscal year ended June 30, 2010, the auditors noted the following:

Cell Phones

The City does not currently maintain a list of approved cell phone users. As a result, the City is likely incurring at least some charges that are not reasonable and necessary. The City should inventory its cell phones and shut down unnecessary service.

In order to address this finding by the auditors, the following steps will be taken:

1. Each department head will be responsible for identifying each cell phone, pager, blackberry, wireless card, or other mobile communication device issued by the City to any employee in his or her department. The department head will complete the attached form with all of the requested information.
2. The department head will sign a statement indicating that the attached list accurately reflects all City issued cell phones, blackberrys, pagers, wireless cards, or other mobile communication devices, and that the department head understands that service for any City issued cell phone, pager, blackberry, wireless card, or other mobile communication device not identified in this survey will be discontinued.
3. All responses are due to the Office of the Emergency Financial Manager and the attention of Joseph M. Sobota, M.P.A., Assistant to the Emergency Financial Manager by 4:00 p.m., Thursday, March 10, 2011.



CITY OF PONTIAC
EMERGENCY FINANCIAL MANAGER

MICHAEL L. STAMPFLER

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

RECEIVED

MAR 04 2011

PONTIAC
CITY CLERK'S OFFICE

CITY OF PONTIAC, MICHIGAN

ORDER NO. S-50 OF THE EMERGENCY FINANCIAL MANAGER

To: State of Michigan Department of Treasury
Mark Hotz, City Attorney
Yvette Talley, City Clerk

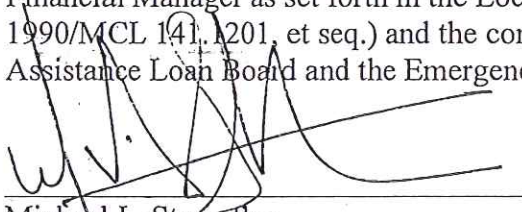
Effective Date: March 7, 2011

Subject: Plante & Moran Agreement Letter dated February 13, 2011

The Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et. seq.) in Section 141.1219 empowers an Emergency Financial Manager to issue the orders a 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 141.1221 (1) provides that an Emergency Financial Manager may take one or more additional actions with respect to a local government in which a financial emergency has been determined to exist including: ... (f) Make, approve, or disapprove any appropriation, contract, expenditure...."

Plante & Moran currently fulfills the duties of the city controller and is familiar with budgeting and accounting practices critical to preparing the 2011-12 budget for the City of Pontiac. Therefore, I am approving an Agreement Letter dated February 13, 2011, for a period beginning March 7, 2011 and ending May 7, 2011 in the amount of \$60,000 to prepare budget materials for the 2011-12 budget as detailed and described in said Agreement Letter.

This order is necessary to carry out the duties and responsibilities required of the Emergency Financial Manager as set forth in the Local Government Fiscal Responsibility Act (Act 72 of 1990/MCL 141.1201, et seq.) and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager.


Michael L. Stampfler
Emergency Financial Manager

cc: Mayor Leon Jukowski
Pontiac City Council

February 13, 2011

Mr. Michael Stampfler
City of Pontiac
47450 Woodward Avenue
Pontiac, Michigan 48341

Dear Mr. Stampfler:

We continue to be complimented by your selection of our firm to assist you. We are sending this letter to outline our understanding of the engagement of Plante & Moran, PLLC (P&M), by the City of Pontiac to provide financial accounting assistance.

Objective - Our objective is to provide temporary financial professionals to assist Pontiac's management team with the accumulation, assembly, and analysis of budget information.

Scope of services – As temporary members of your accounting staff, our work product will be in the form of reviewing and preparing budget schedules created under the direction and supervision of you (and the City's financial management team). Per our discussions with you, the following are the services to be performed:

- Data entry of budget information from your updated DEP into the Banner system for the General Fund
- Data entry of budget information for all other funds of the City into the Banner system from 2011 actual/amended budgets
- Distribution of preliminary budgets to department heads for review if required by EFM
- Meetings with EFM to discuss all assumptions for funds not part of DEP
- Obtain and analyze information from risk management or others regarding city wide fringe benefits
- Obtain information from grant department regarding new grant awards and balance of outstanding grants for budget data entry
- Obtain information from engineering department regarding status of all capital projects for budget data entry
- Obtain information from water and sewer department head for status of all capital projects for budget data entry
- Review department head requests for budget amendments to ensure adequate budgets exist and enter fully approved amendment into Banner system

Staffing – Carl Johnson and Denise Buckley will serve to manage the above outlined services. Carl will serve as the project manager and the partner with overall responsibility for ensuring P&M's responsibilities under this engagement are carried out.

The City agrees that P&M employees are not "contract for hire." The City and P&M agree that each respective organization and its employees will not endeavor to influence the other organization's employees to seek an employment or other contractual arrangement with its organization, within the duration of this engagement or for a period of one year after termination of the engagement. P&M may release the City from these employment restrictions if the City agrees to reimburse P&M for its recruiting, training, and administrative investment in the employee.

Time commitment - We are available to start March 7, 2011. The term of the engagement is through May 7, 2011 but will continue month to month until written notice is received by the EFM.

We will have an individual working to prepare the annual 2011/2012 budget full time beginning March 7, 2011 through May 7, 2011 (your due date for a final budget).

After the annual budget is complete, the approval of budget amendments and data entry of fully approved budget amendments will be performed on a part-time basis approximately one day a week.

Fees – Our fixed fee will total \$60,000 annually but will be paid as follows:

\$30,000 for March 7, 2011 through May 7, 2011 budget preparations
\$3,000 per month thereafter for budget amendments and data entry into Banner

Our fee for this work will be based on the time required to complete the assignment, plus all reasonable and necessary travel related and other out-of-pocket costs incurred.

Payment terms – Our invoices, which will be rendered on a semi-monthly basis, are due upon receipt. If invoices are not paid within 90 days of the invoice date, we will suspend services until all outstanding invoices are paid.

Review and supervision - It is understood that as temporary members of your accounting department, the work of the P&M temporary service provider is subject to the same supervision, review and approval practices that you undertake with your own staff. It is further understood that the work of the temporary service provider is not being reviewed by any other person at P&M.

Limitation of scope - Our services will not include tax or financial statement assurance related services. Any such services, if requested, will be detailed in a separate engagement letter. Accordingly, this consulting services engagement is not intended to produce financial statements in accordance with AICPA financial reporting standards. Accordingly, P&M's name must not be associated with the City's internal financial statements.

Mr. Michael Stampfler
City of Pontiac

February 13, 2011
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It should also be recognized that our services cannot be relied upon to disclose any defalcations or similar irregularities that may exist. However, if such irregularities come to our attention, we shall notify you and discuss the circumstances with you.

Termination – The City or P&M can terminate the contract for any cause and will provide the other party with 7 days written notice.

Conflicts - Should we become aware of any conflicts during the course of the engagement that would preclude us from performing these services; we will immediately disclose that to you upon our discovery. P&M reserves the right to withdraw from the engagement at its sole discretion.

We appreciate the opportunity to provide serves to the City in this manner. Please call me at 248-223-3396 with any questions.

If you are in agreement with our understanding of the engagement, please sign the enclosed copy of this letter and return it to us.

Very truly yours,

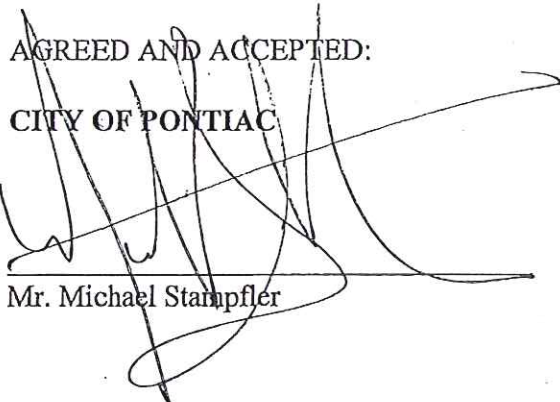
PLANTE & MORAN, PLLC



Carl A. Johnson

AGREED AND ACCEPTED:

CITY OF PONTIAC



Mr. Michael Stampfler

3/4/11
Date

plante
moran