

Hudson, Deanna (TREASURY)

From: Heimann, Alexandr (TREASURY)
Sent: Thursday, November 05, 2015 8:44 AM
To: Cline, Richard (Treasury)
Cc: Hudson, Deanna (TREASURY)
Subject: Flint EMO Analysis
Attachments: Flint EM FO and EM Order Analysis.docx

Hello Eric,

Attached is my analysis outlining the powers of the City Administrator and the May and City Council for the City of Flint as described by Emergency Manager Orders. The orders were fairly concrete but I did identify some gaps (many of which might be explained in the City Charter and other documents), that left some unanswered questions.

Let me know if you need anything else.

With regard,

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City of Flint Emergency Manager's Orders Analysis

11/04/15

Summary of Emergency Manager's Order #20 (EMO 20) also referred to as the "EM Final Order", and Emergency Manager's Order#3 (EMO 3) also referred to as "City Administrator"

City Administrator's Powers

Management of Key City Staff

- City Administrator directs all Department Heads¹ in carrying out daily activities (EMO 3 p.2), and manages all department heads, division heads, and managers via written performance evaluations (EMO 3 p.3), these positions serve "at the pleasure of the City Administrator" (EMO 3 p.4)
- City Administrator must regularly consult with the Mayor on the daily administrative functions of the City Administrator
- EM Order Expressly prohibits the City Council² from interfering with the employees of the City (EMO 20 p.3).
- *Sole authority on compensation of City Staff and appointed officers (EMO 20 p.6)*
- Terminates department heads with approval of the board (EMO 20 p.7)

Participates in the hiring process for Key City Staff³ (EMO 3 p.3, 4)

- City Administrator Recommends candidates to the Mayor:
 - o Chief of Police
 - o Fire Chief
 - o Director of Finance
 - o Planning and Development Director
 - o Director of Public Works
 - o Chief Legal Officer
 - o Chief Personnel Officer
- City Administrator recommends the following positions to the City Council:
 - o City Clerk
 - o City Auditor
- City Administrator appoints all other Department headers, division heads, and management positions including:
 - o City Treasurer
 - o City Assessor
 - o Purchasing Director
- Ensures that all appointment processes are open, competitive, and administered by the HR department with selection of the most qualified candidate

¹ EMO 3 does not state that City Manager solely performs this task, leaves some room for interpretation

² Is in the section of the EMO named "Mayor and City Council", but section only expressly calls out the City Council

³ This language defines a process, but does not define it as the sole process, or that City Council, or the Mayor have to choose a candidate recommended by the City Administrator