EMERGENCY MANAGER
CITY OF ECORSE
WAYNE COUNTY MICHIGAN

ORDER NO. 094

DELEGATION OF AUTHORITY TO CITY OFFICIALS

BY THE POWER AND AUTHORITY VESTED IN THE EMERGENCY MANAGER FOR THE CITY OF ECORSE (CITY) PURSUANT TO PUBLIC ACT 436 OF 2012, THE LOCAL FINANCIAL STABILITY AND CHOICE ACT, MCL 141.1541 TO 141.1575 (ACT), JOYCE A. PARKER, EMERGENCY MANAGER, ISSUES THE FOLLOWING ORDER:

1. The purpose of the Act, which became effective on March 28, 2013, is to, among things, safeguard and assure the financial accountability of local units of government; to preserve the capacity of local units of government to provide or cause to be provided necessary services essential to the public health, safety, and welfare; to provide for review, management, planning, and control of the financial operation of local units of government and the provision of services by local units of government; to authorize a declaration of the existence of a financial emergency within local units of government; to prescribe remedial measures to address a financial emergency within local units of government; to provide for the appointment and to prescribe the powers and duties of emergency managers for local units of government; and to provide for the termination of a financial emergency within a local unit of government.

2. Section 23 of the Act authorizes the Governor, before removing a local government from receivership, to appoint a Receivership Transition Advisory Board (Board) to monitor the affairs of the local government until the receivership is terminated.

3. By letter dated April 29, 2013, I recommended that Governor Snyder appoint a Transition Advisory Board for the City.

4. In the event that Governor appoints a Transition Advisory Board this Order is issued to facilitate the effective and efficient operation of the City for the duration of the period that the Board is monitoring the affairs of the City and the City remains in receivership, City officials shall be governed by and perform the duties and functions set forth in this Order, as follows:

Authority Granted:

(a) The Mayor and Council shall do all of the following:

1) Serve, together with the City Administrator, as the official City representatives before the Board.

2) Hire and retain another City Administrator in the event of the separation from service of the incumbent City Administrator subject to approval of the Board.

3) Adopt, monitor or amend an annual Budget, as recommended by the City Administrator, and submit the proposed Budget or Budget amendment to the Board. However, City officials shall not amend the two-year budget adopted and implemented by the Emergency Manager without the approval of the State Treasurer.

4) Adopt Ordinances and Resolutions consistent with City Council's authority to set policy, subject to approval of the Board.

5) Review and recommend approval of proposed Collective Bargaining Agreements to the Board.

6) Approve any changes to the City Administrator Job Description or other controlling documents subject to the approval of the Board.

7) Review and recommend to the Board the issuance of Debt.

8) Review monthly Budget-to-Actual reports from the City Administrator and recommend approval to the Board.

9) Review any Deficit Elimination plans for compliance on a quarterly basis and forward for approval by the Board.

10) Review current and potential litigation with the City Administrator and the City Attorney, and as needed with the Board.

11) Develop five-year Operating and Capital Budgets subject to approval by the Board.

12) Establish Policies and Procedures regarding the rules of operation for the City Council subject to approval by the Board.

13) Confer with the City Administrator on the City Administrator's selection of and performance evaluation of department heads and other key positions of the City.

14) Annually review an inventory of City Assets.

15) Review business licenses on an annual basis.

16) Review the established licensing and other fees on an annual basis and make recommendations subject to approval by the Board.

17) Review insurance levels and coverage on an annual basis subject to the approval of the Board.

18) Review the status of tax collections and outstanding property taxes owed to the City and report findings to the Board.

19) Review and recommend approval of property sales in excess of $10,000 subject to the approval of the Board.

20) Review election precinct sites and approve expenses associated with elections.

21) Review proposed economic and redevelopment projects subject to the approval of the Board.

22) Review recommendations of the City Administrator for salary and compensation adjustments of appointed officers subject to the approval of the Board.

23) Review and recommend approval of contracts or purchases in excess of $10,000 subject to the approval of the Board.

(b) The City Administrator shall do all of the following:

1) Be responsible for and shall be vested with full authority necessary to effectively oversee the day-to-day operations of the City.

2) Report to the Mayor and City Council regarding the overall operation and direction of the City.

3) Serve, together with the Mayor and the City Council, as the official City representatives to the Board.

4) Work with the City Council and other City or State officials to successfully transition the City to full restoration of all duties and responsibilities.

5) Ensure that the City is in full compliance with applicable State and Federal laws, and except as superseded by this Order, with the City Charter.

6) Exercise direction and oversight of all City departments and functions.

7) Serve as the primary contact between the Mayor and City Council and the employees of the City.

8) Fulfill all essential duties and responsibilities as outlined in the City Administrator Job Description and any other controlling documents that outline the powers and duties of the City Administrator.

5. This Order may be amended, modified, repealed, or terminated by a subsequent Order issued by an Emergency Manager.

6. This Order shall have immediate effective.

Date: 4/30/13

By: Joyce A. Parker
Joyce A. Parker
Emergency Manager
City of Ecorse