EMERGENCY MANAGER OF THE CITY OF ECORSE
(Directive No. 054)

ORDER OF THE EMERGENCY MANAGER OF THE CITY OF ECORSE, COUNTY OF WAYNE, STATE OF MICHIGAN, TO MAKE APPOINTMENTS.

WHEREAS, under the Local Government and School District Fiscal Accountability Act, Act 4, Public Acts of Michigan, 2011, as amended ("Act 4") and a Contract (the "Contract") between the State of Michigan and Joyce A. Parker, dated October 30, 2009, Joyce A. Parker has been appointed as the Emergency Manager (the "EM") of the City of Ecorse, County of Wayne, Michigan (the "City") and charged with the power and authority to take all actions necessary to develop and implement financial and operational plans to regulate expenditures, investments and the provision of services for the City of Ecorse in conformity with and using the powers set forth in Act 4; and

WHEREAS, pursuant to Public Act 4 of 2011, Section 19 (1)(ff), an Emergency Manager has the power and authority to "Remove, replace, appoint, or confirm the appointments to any office, board, commission, authority, or other entity which is within or is a component unit of the local government."

WHEREAS, pursuant to Public Act 4 of 2011, Section 19 (1) (dd) an Emergency Manager has the power and authority to "Exercise solely, for and on behalf of the local government, all other authority and responsibilities of the chief administrative officer and governing body concerning the adoption, amendment, and enforce ordinances or resolutions of the local government as provided in the following acts: *(i)* The Home Rule City Act, 1909 PA 279, MCL 117.1 to 117.38".

WHEREAS, pursuant to Public Act 4 of 2011, Section 19 (1) (ee) the power of an emergency manager is superior to and supersedes the power of any officer or employee whether elected or appointed and, therefore, allows the Emergency Manager to exercise the power and authority of any elected or appointed position, including the elected positions of Mayor and Council persons, to properly accomplish work, such as appointments to boards, offices and commissions.

WHEREAS, under the City of Ecorse's Charter and Code of Ordinances there are various boards, commissions and other offices, both locally and through regional collaboratives, that require, from time to time, appropriate appointments, including the filling of vacant seats, to said boards, commissions, authorities and other offices. Moreover, that said appointments, in order to properly serve the present and future needs of the City of Ecorse and carry out the Emergency Manager's Financial Plan, require implementing an application process, where necessary, that will assure the citizens of Ecorse that such appointments will be based upon the substantive and demonstrated qualifications of interested individuals supported by their education, occupation, applicable knowledge base and relevant experience.

WHEREAS, the Ecorse Emergency Manager has the legal power and authority under the cited provisions of Public Act 4 of 2011 to develop and implement an appropriate office, board, authority, and commission appointment process and, further, has the legal power, authority and objectivity to make appointments that will ultimately serve the best interests of the Ecorse community as it begins to envision a more productive and financially secure future.

This Directive is necessary in order to carry out the duties and responsibilities required of the Emergency Manager as set forth in Public Act 4 of 2011, the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Manager and, additionally, is considered necessary to implement the financial plan.

RESOLVED, IT IS HEREBY ORDERED BY THE EMERGENCY MANAGER OF THE CITY OF ECORSE, PURSUANT TO PUBLIC ACT 4 of 2011 AND THE CONTRACT, THAT:

1. The Emergency Manager shall develop and implement an application and appointment process to be used to fill expired terms and vacant member seats on City of Ecorse Charter and Ordinance created multi-member boards, commissions, authorities and other offices.

2. The Emergency Manager shall, throughout the remainder of her State of Michigan appointment as the Ecorse Emergency Manager, be the appointing authority for all expired terms, vacant positions and other openings on City of Ecorse Charter and Ordinance created multi-member boards, commissions, authorities, and offices, as well as for other regional collaborative multi-member bodies and shall make said appointments, in her sole discretion, pursuant to an appropriate implemented application and appointment process.

3. Repeal. All orders of the Emergency Manager, resolutions of the City Council of the City and parts of resolutions or orders in conflict with this Order are hereby repealed to the extent of such conflict.

IT IS SO ORDERED this 14th day of June, 2011.

Joyce A. Parker
Emergency Manager
City of Ecorse