EMERGENCY FINANCIAL MANAGER OF THE CITY OF ECORSE

Order No. 088

ORDER OF THE EMERGENCY FINANCIAL MANAGER OF THE CITY OF ECORSE, COUNTY OF WAYNE, STATE OF MICHIGAN, FOR THE APPOINTMENT AND REAPPOINTMENT OF PERSONS AS DIRECTORS OF THE ECORSE BROWNFIELD REDEVELOPMENT AUTHORITY FOR CERTAIN TERMS OF OFFICE.

WHEREAS, under the Local Government Fiscal Responsibility Act, Act 72, Public Acts of Michigan, 1990, as amended ("Act 72") and, for all relevant periods, under the Local Government and School District Fiscal Accountability Act, Act 4, Public Acts of Michigan, 2011, as amended ("Act 4"), as well as any successor Acts and the Contract dated October 30, 2009 and Amended Contract of October 2012 (the "Contract") between the State of Michigan and Joyce A. Parker, , Joyce A. Parker has been appointed as the Emergency Financial Manager (the "EFM" or "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, ensure compliance with federal, state and local laws, regulations, rules, local laws and make provisions for services for the City of Ecorse, including the power to exercise the authority and responsibilities of the Mayor, as the Chief Administrative Officer of the City, and of the City Council, as the governing body of the City, concerning the adoption and enforcement of resolutions affecting the financial condition of the City as provided in the Home Rule City Act, Act 279, Public Acts of Michigan, 1909, as amended ("Act 279"); and

WHEREAS, pursuant to Public Act 72 of 1990, Section 21 an Emergency Manager has the power and authority to make, approve, or disapprove any appropriation, contract, expenditure, or loan, for and on behalf of the local government;

WHEREAS, Public Act 381 of 1996 [Act 381], the Brownfield Redevelopment Financing Act, authorizes municipalities to create a brownfield redevelopment authority to facilitate the implementation of brownfield plans; to create brownfield redevelopment zones; to promote the revitalization, redevelopment, and reuse of certain property, including, but not limited to, tax reverted, blighted, or functionally obsolete property; to prescribe the powers and duties of brownfield redevelopment authorities; to permit the issuance of bonds and other evidences of indebtedness by an authority; to authorize the acquisition and disposal of certain property; to authorize certain funds; to prescribe certain powers and duties of certain state officers and agencies; and to authorize and permit the use of certain tax increment financing.

WHEREAS, pursuant to Act 381, MCL 125.2655 (1) (e) and Emergency [Financial] Manager's ORDERS 21 AND 22, five Directors were appointed to the Ecorse Brownfield Redevelopment Authority [EBRA] for certain terms of office according to the statutory requirements;

WHEREAS, pursuant to Act 381 and, specifically, MCL 125.2655 (12) (e) although the term of office for Director Joyce A. Parker and the term of office for Director Karen L. Folks have expired, both Directors have continued to hold such office in accordance with and as required under MCL 125.2655 (12) (e) until the member's successor is appointed and qualified.

WHEREAS, the knowledge and experience of Karen L. Folks as an active Director to the Ecorse Brownfield Redevelopment Authority over the past two and one half years is valuable and beneficial to the continuation and successful progress of redevelopment activities for the EBRA, Karen L. Folks should be reappointed to the EBRA for the three year term of office;

WHEREAS, the continuation of an on-site, State appointed Emergency [Financial] Manager may be discontinued in the near future as the State moves the City of Ecorse to the next phase of its financial emergency status and, therefore, Joyce A. Parker may not be available to fulfill a reappointment for a term of office as a Director of the EBRA;

WHEREAS, it is recommended that the City of Ecorse's newly hired City Administrator be appointed as a Director for the EBRA, serving a three year term, as said City Administrator brings important qualifications and experience that will benefit the EBRA;

This ORDER is necessary in order to carry out the duties and responsibilities required of the Emergency Manager as set forth in Public Act 72, the contract and amended contract between the Local Emergency Financial Assistance Loan Board and the Emergency Manager.

RESOLVED, NOW THEREFORE, IT IS HEREBY ORDERED BY THE EMERGENCY FINANCIAL MANAGER OF THE CITY OF ECORSE, PURSUANT TO PUBLIC ACT 72 of 1990 AND ANY AND ALL SUCCESSOR ACTS, AND FOR ALL RELEVANT PERIODS, PUBLIC ACT 4 of 2011, AND ANY SUBSEQUENT ACT, THE CONTRACT AND AMENDED CONTRACT BETWEEN THE STATE AND EMERGENCY (FINANCIAL)MANAGER, AND OTHER LEGAL MANDATES THAT:

1. Effective as of the date of this Order, Karen L. Folks is reappointed as a Director on the Ecorse Brownfield Redevelopment Authority, to serve as a Director for said EBRA for a three year term of office.

2. Effective as of the date of this Order, John Openlander is appointed as a Director on the Ecorse Brownfield Redevelopment Authority, to serve as a Director for said EBRA for a three year term of office.

3. Repeal. All orders of the EFM, resolutions of the Ecorse City Council 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 15th day of January 2013.

Joyce A. Parker
Emergency Manager
City of Ecorse